

111TH CONGRESS
1ST SESSION

H. R. 3238

To increase access to adult education to provide for economic growth.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2009

Mr. KENNEDY (for himself and Mr. HINOJOSA) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To increase access to adult education to provide for economic growth.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Adult Education and
5 Economic Growth Act of 2009”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) In order to remain competitive in today’s
9 global economy, the United States must reverse the

1 trend of underinvestment in adult education and
2 workforce development and empower its workforce
3 through adequate resources and effective and inno-
4 vative educational and workforce programs. Since
5 1979, investments in adult education and workforce
6 development programs have declined in real terms by
7 more than 70 percent.

8 (2) Current Federal adult basic education pro-
9 grams serve less than 3,000,000 individuals a year.
10 Some States have experienced difficulties integrating
11 adult education public job training and career and
12 technical education programs that could help these
13 individuals meet specific industry demand while ad-
14 vancing along a career path.

15 (3) In 2007, more than 25,000,000 adults age
16 18 through 64 had no high school credential. Every
17 year, 1 in 3 young adults—more than 1,200,000
18 people—drop out of high school.

19 (4) Employers need highly skilled workers to be
20 able to compete globally. Between 2004 and 2014,
21 24 of the 30 fastest-growing occupations are pro-
22 jected to demand workers with some form of post-
23 secondary education or training. Yet nearly half of
24 the United States workforce has a high school di-
25 ploma or less.

1 (5) Technology and globalization, coupled with
2 the unfolding economic recession, are rendering low-
3 wage and low-skill workers particularly vulnerable.
4 Unemployment is highest among those without a col-
5 lege degree and has grown at a faster rate among
6 this group since the start of the economic recession
7 in December 2007.

8 (6) According to the Bureau of Labor Statis-
9 tics, the unemployment rate for individuals age 25
10 and older who have less than a high school diploma
11 has risen from 7.5 percent in December 2007 to
12 14.8 percent in April 2009. The unemployment rate
13 for high school graduates with no college degree has
14 increased from 4.6 percent to 9.3 percent. The un-
15 employment rate for high school graduates with
16 some college experience or an associate degree has
17 risen from 3.7 percent to 7.4 percent.

18 (7) The U.S. ranks 11th among OECD coun-
19 tries in percent of young adults with a high school
20 diploma—the only country in which younger adults
21 are less educated than the previous generation.

22 (8) In 2006, 18,400,000 adults spoke English
23 “less than very well”, according to the United States
24 Census Bureau (2006 American Community Sur-
25 vey). Of these adults, 8,200,000 held no high school

1 credential and 5,000,000 had completed high school
2 but were not college or job ready.

3 (9) Although 88,000,000 adults ages 18 to 64
4 have a high school diploma or less, or limited
5 English proficiency, funding for programs authorized
6 under the Workforce Investment Act of 1998 for
7 adults, dislocated workers, and youth declined by
8 about 12 percent between 2000 and 2007.

9 (10) According to the National Commission on
10 Adult Literacy, one in every 100 U.S. adults 16 and
11 older is in prison or jail in America. About 43 per-
12 cent do not have a high school diploma or equiva-
13 lent, and 56 have very low literacy skills. Ninety-five
14 percent of incarcerated individuals return to our
15 communities.

16 (11) In order to meet the needs of the work-
17 force, there must be a strong connection between the
18 adult education and workforce development system,
19 in order to better meet the needs of limited English
20 proficient job seekers and those with basic skills de-
21 ficiencies. For example, in program year 2006, less
22 than 11 percent of individuals who exited the title I
23 adult program under the Workforce Investment Act
24 of 1998 were co-enrolled in adult education.

1 (12) Workforce development programs, includ-
2 ing adult education, throughout the Federal Govern-
3 ment and the States are not aligned well, limiting
4 their capacity to leverage resources, to provide full
5 and appropriate access to services, and to provide
6 reliable and comparable data related to activities and
7 outcomes across the programs.

8 (13) In the current economic climate, it is im-
9 perative that the United States invest in the edu-
10 cation, training, and development of all workers in
11 the United States who are unemployed or under-
12 employed, to help fill the labor demands of the
13 United States so that they do not look elsewhere to
14 find skilled workers.

15 **SEC. 3. PURPOSES.**

16 The purposes of this Act are the following:

17 (1) To increase access substantially to adult
18 education, literacy, and workplace skills services for
19 adults who have limited basic skills, lack a high
20 school diploma or its equivalent, or are limited
21 English proficient.

22 (2) To create seamless pathways from adult
23 education and occupational skills development to
24 postsecondary education or training and workforce
25 development programs and services that help adult

1 learners persist throughout the pipeline from the
2 lowest levels of basic literacy or English language
3 proficiency to the achievement of a level of pro-
4 ficiency that will enable the adult learner to success-
5 fully transition to family-sustaining jobs in careers
6 with the promise of advancement.

7 (3) To develop an adult education, literacy, and
8 work skills system that coordinates and integrates
9 adult education, literacy, and workplace skills serv-
10 ices with workforce development and postsecondary
11 education and training opportunities across agencies
12 and programs.

13 (4) To greatly improve outcomes for adults re-
14 ceiving adult education, literacy, and workplace skills
15 services in terms of learning gains, acquisition of
16 basic workforce skills, accelerated learning, acquisi-
17 tion of a high school diploma or its equivalent, or
18 successful transition to postsecondary education or
19 training or to family-sustaining jobs in the work-
20 place.

TITLE I—WORKFORCE INVESTMENT SYSTEMS

3 SEC. 101. DEFINITIONS.

4 Section 101 of the Workforce Investment Act of 1998
5 (29 U.S.C. 2801) is amended by adding at the end the
6 following:

7 “(54) INTEGRATED EDUCATION AND TRAIN-
8 ING.—The term ‘integrated education and training’
9 means training that combines education or training
10 for a specific occupation or occupational cluster with
11 English literacy instruction or other adult education,
12 literacy, and workplace skills activities, including
13 programs that provide for dual or concurrent enroll-
14 ment.

15 “(55) CAREER PATHWAY.—The term ‘career
16 pathway’ means a high quality, rigorous, engaging
17 set of education, training, and workplace experiences
18 that—

19 “(A) align adult education, job training,
20 postsecondary education, or occupational train-
21 ing to create a pathway to attaining a recog-
22 nized postsecondary education credential that
23 will qualify an individual for career advance-
24 ment in projected employment opportunities
25 identified in the State plan under section 112;

1 “(B) include advising and counseling to
2 support the development of individual education
3 and career plans; and

4 “(C) lead to a secondary school diploma or
5 its recognized equivalent (for individuals who
6 have not completed secondary school), a post-
7 secondary degree, a registered apprenticeship or
8 another recognized occupational certification, a
9 certificate, or a license.

10 “(56) WORKPLACE SKILLS.—The term ‘work-
11 place skills’ means the combination of basic skills,
12 critical thinking skills, and self management skills
13 with competency in utilizing resources, using infor-
14 mation, working with others, understanding systems,
15 working with technology, and other skills necessary
16 for success in the workplace.

17 “(57) REGISTERED APPRENTICESHIP PRO-
18 GRAM.—The term ‘registered apprenticeship pro-
19 gram’ means an industry skills training program at
20 the postsecondary level that combines technical and
21 theoretical training through structured on-the-job
22 learning with related instruction (in classrooms or
23 through distance learning) while an individual is em-
24 ployed, working under the direction of qualified per-
25 sonnel or a mentor, and earning incremental wage

1 increases aligned to enhanced job proficiency, result-
2 ing in the acquisition of a nationally recognized and
3 portable certificate, under a plan approved by the
4 Office of Apprenticeship or a State agency recog-
5 nized by the Department of Labor.”.

6 **SEC. 102. PURPOSE.**

7 Section 106 of the Workforce Investment Act of 1998
8 (29 U.S.C. 2811) is amended by inserting “adult edu-
9 cation and” before “workforce investment systems”.

10 **SEC. 103. STATE WORKFORCE INVESTMENT BOARDS.**

11 Section 111 of the Workforce Investment Act of 1998
12 (29 U.S.C. 2821) is amended—

13 (1) in subsection (b)(1)(C)—

14 (A) in clause (vi)(II), by striking “and”
15 after the semicolon;

16 (B) by redesignating clause (vii) as clause
17 (viii); and

18 (C) by inserting after clause (vi) the fol-
19 lowing:

20 “(vii) the lead State agency officials
21 with responsibilities for the programs and
22 activities carried out under title II; and”;
23 and

1 (2) in subsection (d)(2), by inserting “adult
2 education and” before “workforce investment sys-
3 tem”.

4 **SEC. 104. STATE PLAN.**

5 Section 112 of the Workforce Investment Act of 1998
6 (29 U.S.C. 2822) is amended—

7 (1) in subsection (a), by inserting “and aligns
8 with the State plan described in section 224” before
9 the period at the end; and

10 (2) in subsection (b)—

11 (A) in paragraph (4)—

12 (i) in subparagraph (B), by inserting
13 “academic levels and” before “job skills”;

14 (ii) in subparagraph (C), by striking
15 “and” after the semicolon;

16 (iii) in subparagraph (D), by striking
17 “State;” and inserting “State, including
18 education, training, and registered appren-
19 ticeship programs and their relationship to
20 such career opportunities and skills and
21 economic development needs; and”;

22 (iv) by adding at the end the fol-
23 lowing:

24 “(E) the integrated education and training
25 activities that will be integrated and aligned

1 with workforce programs and services under
2 this title, and the State’s efforts to increase the
3 number of participants concurrently enrolled in
4 adult education services under title II and
5 training and employment activities under this
6 title;”.

7 (B) in paragraph (8)—

8 (i) in subparagraph (A)(x), by striking
9 “and” after the semicolon;

10 (ii) in subparagraph (B), by striking
11 the semicolon and inserting “, including
12 performance on the core indicators de-
13 scribed in section 212; and”;

14 (iii) by adding at the end the fol-
15 lowing:

16 “(C) a description of any integrated data
17 systems used to track performance outcomes
18 over time for the participants in the programs
19 and activities described in subparagraph (A);”;

20 (C) in paragraph (9), by striking “busi-
21 nesses and representatives of labor organiza-
22 tions” and inserting “businesses, representa-
23 tives of labor organizations, and representatives
24 of education and training (including adult edu-

1 cation providers, postsecondary education pro-
2 viders, and training providers)”; and

3 (D) in paragraph (17)(A)(iv), by adding “,
4 including individuals receiving services under
5 title II” after “disabilities”.

6 **SEC. 105. LOCAL WORKFORCE INVESTMENT BOARDS.**

7 Section 117(h)(2)(A) of the Workforce Investment
8 Act of 1998 (29 U.S.C. 2832(h)(2)(A)) is amended—

9 (1) in clause (v), by striking “and” after the
10 semicolon; and

11 (2) by inserting after clause (vi), the following:

12 “(vii) representatives of adult edu-
13 cation; and”.

14 **SEC. 106. LOCAL PLAN.**

15 Section 118(b)(1) of the Workforce Investment Act
16 of 1998 (29 U.S.C. 2833(b)(1)) is amended—

17 (1) in subparagraph (B), by striking “and”
18 after the semicolon;

19 (2) in subparagraph (C), by inserting “aca-
20 demic levels and” before “job skills”; and

21 (3) by adding at the end the following:

22 “(D) the type and availability of workforce
23 investment activities in the local area, including
24 education, training, and registered apprentice-
25 ship programs and their relationship to such

1 business, job seeker, and worker needs, employ-
2 ment opportunities, and economic development
3 needs; and

4 “(E) the integrated education and training
5 activities that will be carried out under this title
6 or title II and the alignment of those activi-
7 ties.”.

8 **SEC. 107. USE OF FUNDS FOR YOUTH ACTIVITIES.**

9 Section 129 of the Workforce Investment Act of 1998
10 (29 U.S.C. 2854) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (5), by striking “and”
13 after the semicolon;

14 (B) in paragraph (6), by striking the pe-
15 riod and inserting “; and”; and

16 (C) by adding at the end the following:

17 “(7) to provide opportunities for career path-
18 ways for eligible youth.”; and

19 (2) in subsection (c)—

20 (A) in paragraph (1)(C)—

21 (i) in clause (iii), by striking “and”
22 after the semicolon;

23 (ii) in clause (iv)(II), by striking the
24 period and inserting a semicolon; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(v) opportunities for career path-
4 ways; and

5 “(vi) for the completion of secondary
6 school, in appropriate cases.”; and

7 (B) in paragraph (2)—

8 (i) in subparagraph (I), by striking
9 “and” after the semicolon;

10 (ii) in subparagraph (J), by striking
11 the period and inserting “; and”; and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(K) dual enrollment opportunities.”.

15 **SEC. 108. USE OF FUNDS FOR EMPLOYMENT AND TRAINING**
16 **ACTIVITIES.**

17 Section 134(d) of the Workforce Investment Act of
18 1998 (29 U.S.C. 2864(d)) is amended—

19 (1) in paragraph (3)(A)(i)(I), by striking “and
20 are unable to obtain employment through services
21 provided under paragraph (2)”; and

22 (2) in paragraph (4)—

23 (A) in subparagraph (A)(i), by striking
24 “and who are unable to obtain or retain em-
25 ployment through such services”;

1 (B) in subparagraph (D)—

2 (i) in clause (viii), by striking “and”
3 after the semicolon;

4 (ii) in clause (ix), by striking the pe-
5 riod and inserting “; and”; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(x) integration of adult education
9 and training.”; and

10 (C) in subparagraph (G)(ii)—

11 (i) in subclause (II), by striking “or”
12 after the semicolon;

13 (ii) in subclause (III), by striking the
14 period and inserting “; or”; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(IV) the local board determines
18 that it would facilitate the training of
19 multiple individuals in high-demand
20 occupations; or

21 “(V) the local board determines
22 that it would facilitate the provision of
23 integrated education and training pro-
24 grams.”.

1 **SEC. 109. PERFORMANCE ACCOUNTABILITY SYSTEM.**

2 Section 136(b)(2)(A) of the Workforce Investment
3 Act of 1998 (29 U.S.C. 2871(b)(2)(A)) is amended—

4 (1) in clause (i)—

5 (A) in the matter preceding subclause (I),
6 by striking “and (for participants who are eligi-
7 ble youth age 19 through 21) for youth activi-
8 ties authorized under section 129”; and

9 (B) in subclause (IV)—

10 (i) by inserting “and performance on
11 the core indicators described in section
12 212, as appropriate” after “recognized
13 equivalent”; and

14 (ii) by striking “, or by participants
15 who are eligible youth age 19 through 21
16 who enter postsecondary education, ad-
17 vanced training, or unsubsidized employ-
18 ment”; and

19 (2) in clause (ii)—

20 (A) in the matter preceding subclause (I),
21 by striking “(for participants who are eligible
22 youth age 14 through 18)”;

23 (B) in subelause (I), by striking “and, as
24 appropriate, work readiness or occupational
25 skills” and inserting “, workplace skills, or oc-
26 cupation skills, as appropriate”;

1 (C) in subclause (II), by striking “and”
2 after the semicolon;

3 (D) in subclause (III), by striking the pe-
4 riod and inserting “; and”; and

5 (E) by adding at the end the following:

6 “(IV) performance on measures
7 described in subclauses (I), (II), and
8 (III) of clause (i) by youth 18 years
9 of age and older.”.

10 **SEC. 110. DEMONSTRATION AND PILOT PROJECTS.**

11 Section 171(b)(1) of the Workforce Investment Act
12 of 1998 (29 U.S.C. 2916(b)(1)) is amended—

13 (1) in subparagraph (G), by striking “and”
14 after the semicolon;

15 (2) in subparagraph (H), by striking the period
16 and inserting a semicolon; and

17 (3) by adding at the end the following:

18 “(I) projects that assist low skill and lim-
19 ited English proficient workers to acquire the
20 basic, English, work readiness, and applied
21 technical or occupational skills through inte-
22 grated education and training programs to suc-
23 cessfully transition to postsecondary education,
24 workforce development, and employment in ca-
25 reer pathways; and

1 “(J) projects that test effective ways to de-
2 velop comprehensive career pathways learning
3 approaches that fully align adult education with
4 secondary education, postsecondary education,
5 including registered apprenticeship programs,
6 workforce development, and supportive service
7 activities, and with regional economic develop-
8 ment strategies to meet the skill needs of exist-
9 ing and emerging regional employers as well as
10 the needs of low skilled adults, helping adults,
11 especially those who are low skilled, to advance
12 through progressive levels of education and
13 training as quickly as possible and gain edu-
14 cation and workforce skills of demonstrated
15 value to the labor market at each level.”.

16 **TITLE II—ADULT EDUCATION,**
17 **LITERACY, AND WORKPLACE**
18 **SKILLS**

19 **SEC. 201. PURPOSE.**

20 Section 202 of the Adult Education and Family Lit-
21 eracy Act (20 U.S.C. 9201) is amended—

22 (1) in paragraph (1), by inserting “and postsec-
23 ondary education or training” after “self-suffi-
24 ciency”;

1 (2) in paragraph (2), by striking “and” after
2 the semicolon;

3 (3) in paragraph (3)—

4 (A) by inserting “and transition to postsec-
5 ondary education and career pathways” after
6 “education”; and

7 (B) by striking the period and inserting “;
8 and”; and

9 (4) by adding at the end the following:

10 “(4) assist adults with limited English pro-
11 ficiency in improving their reading, writing, speak-
12 ing, listening, and comprehension skills in English
13 and mathematical skills and acquiring an under-
14 standing of the American system of government, in-
15 dividual freedom, and the responsibilities of citizen-
16 ship.”.

17 **SEC. 202. DEFINITIONS.**

18 (a) IN GENERAL.—Section 203 of the Adult Edu-
19 cation and Family Literacy Act (20 U.S.C. 9202) is
20 amended—

21 (1) by redesignating paragraphs (3), (4), (5),
22 (6), (7), (8), (9), (10), (11), (12), (13), (14), (15),
23 (16), (17), and (18), as paragraphs (4), (5), (6),
24 (7), (8), (9), (10), (11), (12), (15), (16), (17), (18),
25 (19), (20), and (21), respectively;

1 (2) by inserting after paragraph (2) the fol-
2 lowing:

3 “(3) CAREER PATHWAY.—The term ‘career
4 pathway’ has the meaning given the term in section
5 101 of the Workforce Investment Act of 1998.”;

6 (3) in paragraph (6), as redesignated by para-
7 graph (1)—

8 (A) in the matter preceding subparagraph
9 (A), by inserting “an organization that has
10 demonstrated effectiveness in providing adult
11 education, literacy, and workplace skills activi-
12 ties that may include” after “means”;

13 (B) in subparagraph (B), by striking “of
14 demonstrated effectiveness”;

15 (C) in subparagraph (C), by striking “of
16 demonstrated effectiveness”;

17 (D) in subparagraph (H), by striking
18 “and” after the semicolon;

19 (E) in subparagraph (I), by striking the
20 period and inserting “; and”; and

21 (F) by adding at the end the following:

22 “(J) a partnership between an entity de-
23 scribed in any of subparagraphs (A) through (I)
24 and an employer.”;

1 (4) in paragraph (8), as redesignated by para-
2 graph (1)—

3 (A) in the matter preceding subparagraph

4 (A)—

5 (i) by inserting “the economic pros-
6 pects for” after “sustainable changes in”;

7 and

8 (ii) by inserting “and that better en-
9 able parents to support their children’s
10 learning needs” after “a family”;

11 (B) by redesignating subparagraphs (A)
12 through (D) as subparagraphs (B) through (E),
13 respectively; and

14 (C) by inserting before subparagraph (B),
15 as redesignated by subparagraph (B), the fol-
16 lowing:

17 “(A) Parent adult education, literacy, and
18 workplace skills activities that lead to readiness
19 for postsecondary education or training, career
20 advancement, and economic self-sufficiency.”;

21 (5) by inserting after paragraph (12), as redesi-
22 gnated by paragraph (1), the following:

23 “(13) INTEGRATED EDUCATION AND TRAIN-
24 ING.—The term ‘integrated education and training’

1 has the meaning given the term in section 101 of the
2 Workforce Investment Act of 1998.

3 “(14) INTEGRATED ENGLISH LITERACY AND
4 CIVICS EDUCATION PROGRAM.—The term ‘integrated
5 English literacy and civics education program’
6 means programs of instruction designed to help an
7 individual of limited English proficiency achieve
8 competence in English through contextualized in-
9 struction on the rights and responsibilities of citizen-
10 ship, naturalization procedures, civic participation,
11 and United States history and Government to help
12 such an individual acquire the skills and knowledge
13 to become an active and informed parent, worker,
14 and community member.”; and

15 (6) by adding at the end the following:

16 “(22) WORKPLACE SKILLS.—The term ‘work-
17 place skills’ has the meaning given the term in sec-
18 tion 101 of the Workforce Investment Act of 1998.”.

19 (b) CONFORMING AMENDMENT.—Section 173A(b)(8)
20 of the Workforce Investment Act of 1998 (29 U.S.C.
21 2918a(b)(8)) is amended by striking “section 203(10) of
22 the Adult Education and Family Literacy Act (20 U.S.C.
23 9202(10))” and inserting “section 203(11) of the Adult
24 Education and Family Literacy Act (20 U.S.C.
25 9202(11))”.

1 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 205 of the Adult Education and Family Lit-
3 eracy Act (20 U.S.C. 9204) is amended to read as follows:

4 **“SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

5 “There are authorized to be appropriated to carry out
6 this title \$850,000,000 for fiscal year 2010 and such sums
7 as may be necessary for each succeeding fiscal year.”.

8 **SEC. 204. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE**
9 **AGENCIES; ALLOTMENTS.**

10 Section 211 of the Adult Education and Family Lit-
11 eracy Act (20 U.S.C. 9211) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by striking
14 “\$8,000,000” and inserting “\$15,000,000”;

15 (B) in paragraph (2)—

16 (i) by striking “1.5 percent” and in-
17 serting “1.25 percent”;

18 (ii) by striking “\$8,000,000” and in-
19 serting “\$12,000,000”; and

20 (iii) by striking “and” after the semi-
21 colon;

22 (C) in paragraph (3), by striking the pe-
23 riod and inserting “; and”; and

24 (D) by adding at the end the following:

25 “(4) shall reserve 12 percent to carry out sec-
26 tion 244.”; and

1 (2) in subsection (d), by striking paragraphs
2 (1) through (4) and inserting the following:

3 “(1)(A) is at least 16 years of age;

4 “(B) is beyond the age of compulsory school at-
5 tendance under the law of the State or outlying
6 area;

7 “(C) does not have a secondary school diploma
8 or its recognized equivalent; and

9 “(D) is not enrolled in secondary school; or

10 “(2) is an individual—

11 “(A) described in each of subparagraphs
12 (A), (B), and (D) of paragraph (1); and

13 “(B) who is limited English proficient.”.

14 **SEC. 205. PERFORMANCE ACCOUNTABILITY SYSTEM.**

15 Section 212(b) of the Adult Education and Family
16 Literacy Act (20 U.S.C. 9212(b)) is amended—

17 (1) in paragraph (1)(A)—

18 (A) in clause (i), by inserting “and the em-
19 ployment performance indicator described in
20 paragraph (2)(B)” after “paragraph (2)(A)”;
21 and

22 (B) in clause (ii), by striking “paragraph
23 (2)(B)” and inserting “paragraph (2)(C)”;

24 (2) in paragraph (2)—

25 (A) in subparagraph (A)—

1 (i) in clause (ii), by striking “in, re-
2 tention in” and all that follows through the
3 period at the end and inserting “in post-
4 secondary education, including registered
5 apprenticeship, or other skill training pro-
6 grams.”; and

7 (ii) by adding at the end the fol-
8 lowing:

9 “(iv) Attainment of work readiness,
10 workforce skills, and certificates that are
11 nationally or industry recognized or ap-
12 proved by the State board or local board,
13 as appropriate.”;

14 (B) by redesignating subparagraph (B) as
15 subparagraph (D);

16 (C) by inserting after subparagraph (A)
17 the following:

18 “(B) EMPLOYMENT PERFORMANCE INDI-
19 CATOR.—Consistent with applicable Federal
20 and State privacy laws—

21 “(i) an eligible agency shall identify in
22 the State plan an individual participant
23 employment performance indicator, which
24 shall be entry into employment; and

1 “(ii) the State agency responsible for
2 maintaining and analyzing the data de-
3 scribed in clause (i) shall assist the eligible
4 agency in obtaining and using quarterly
5 wage records to collect such data.

6 “(C) TECHNOLOGY LITERACY INDI-
7 CATOR.—Beginning in 2013, an eligible agency
8 shall include a technology literacy indicator in
9 its performance measure.”; and

10 (D) by striking subparagraph (D), as re-
11 designated by subparagraph (B), and inserting
12 the following:

13 “(D) ADDITIONAL INDICATORS.—An eligi-
14 ble agency may identify in the State plan addi-
15 tional indicators, including customer feedback,
16 for adult education, literacy, and workplace
17 skills activities authorized under this subtitle.”;
18 and

19 (3) in paragraph (3)(B)—

20 (A) in the heading, by inserting “AND EM-
21 PLOYMENT PERFORMANCE INDICATOR” after
22 “INDICATORS”; and

23 (B) by striking “paragraph (2)(B)” and
24 inserting “paragraph (2)(C) and for the em-

1 employment performance indicator described in
2 paragraph (2)(B)”.

3 **SEC. 206. STATE DISTRIBUTION OF FUNDS; MATCHING RE-**
4 **QUIREMENT.**

5 Section 222(a) of the Adult Education and Family
6 Literacy Act (20 U.S.C. 9222(a)) is amended—

7 (1) in paragraph (1)—

8 (A) by striking “not more than 10” and
9 inserting “not less than 10”; and

10 (B) by striking “82.5 percent” both places
11 the term appears and inserting “80 percent”;
12 and

13 (2) in paragraph (2), by striking “12.5 per-
14 cent” and inserting “15 percent”.

15 **SEC. 207. STATE LEADERSHIP ACTIVITIES.**

16 Section 223(a) of the Adult Education and Family
17 Literacy Act (20 U.S.C. 9223(a)) is amended to read as
18 follows:

19 “(a) ACTIVITIES.—

20 “(1) REQUIRED ACTIVITIES.—Each eligible
21 agency shall use funds made available under section
22 222(a)(2) for the following adult education, literacy,
23 and work readiness skills activities:

24 “(A) The establishment or operation of
25 professional development programs to improve

1 the quality of instruction provided pursuant to
2 local activities required under section 231(b).

3 “(B) The provision of technical assistance
4 to eligible providers of adult education, literacy,
5 and workplace skills activities to enable them to
6 fulfill the purpose of this title, as described in
7 section 202.

8 “(C) The monitoring and evaluation of
9 adult education and related activities to deter-
10 mine what works and broadly disseminate infor-
11 mation about models and best practices and
12 tools within the State.

13 “(D) The provision of technology assist-
14 ance, including staff training, to eligible pro-
15 viders of adult education, literacy, and work-
16 place skills activities to enable the eligible pro-
17 viders to improve the quality of such activities.

18 “(E) Coordination with the workforce in-
19 vestment systems supported under title I.

20 “(2) PERMISSIBLE ACTIVITIES.—Each eligible
21 agency may use funds made available under section
22 222(a)(2) for 1 or more of the following adult edu-
23 cation, literacy, and workplace skills activities:

24 “(A) The support for State or regional net-
25 works of literacy resource centers.

1 “(B) Incentives for program coordination
2 and integration, and performance awards.

3 “(C) Developing and disseminating cur-
4 ricula for postsecondary and job training readi-
5 ness, including curricula for using technology
6 for distance learning and for instructional and
7 teacher training purposes.

8 “(D) Coordination with existing support
9 services, such as transportation, child care, and
10 other assistance designed to increase rates of
11 enrollment in, and successful completion of,
12 adult education, literacy, and workplace skills
13 activities, to adults enrolled in such activities.

14 “(E) Developing innovative content and
15 models for integrated education and training
16 programs.

17 “(F) Developing innovative content and
18 models to foster the transition to postsecondary
19 education and career pathways.

20 “(G) Linkages with postsecondary edu-
21 cational institutions.

22 “(H) Linkages with community-based or-
23 ganizations.

24 “(I) Support for recruitment and outreach
25 for instructors, students, and employers.”.

1 **SEC. 208. STATE PLAN.**

2 Section 224 of the Adult Education and Family Lit-
3 eracy Act (20 U.S.C. 9224) is amended—

4 (1) in subsection (b)—

5 (A) in paragraph (11), by striking “and”
6 after the semicolon;

7 (B) in paragraph (12), by striking the pe-
8 riod at the end and inserting a semicolon; and

9 (C) by adding at the end the following:

10 “(13) a description of the knowledge and skills
11 necessary for acceptance in postsecondary education
12 and training;

13 “(14) a description of any certification or other
14 requirements for instructors in eligible adult edu-
15 cation, literacy, and workplace skills program pro-
16 viders in the State;

17 “(15) a description of the professional develop-
18 ment needs of adult education, literacy, and work-
19 place skills providers in the State;

20 “(16) a description of how the State will—

21 “(A) use technology to improve the quality
22 of adult education, literacy, and workplace skills
23 services; and

24 “(B) expand access to such services for
25 workers and students;

1 “(17) a description of how the State will carry
2 out programs described in section 244;

3 “(18) a description of the data system that the
4 State will use to track over time student outcomes
5 on the performance measures described in section
6 212;

7 “(19) a description of the State’s program to
8 invest in the skills of workers, including plans for in-
9 volving business as an active partner in the effort;
10 and

11 “(20) a description of how the adult education
12 programs will be integrated with occupational skills
13 programs and aligned with postsecondary education,
14 career, and technical education, workforce develop-
15 ment programs, and other Federal funds available
16 under title I and other relevant Federal programs.”;

17 (2) by striking subsection (e) and inserting the
18 following:

19 “(e) PEER REVIEW AND PLAN APPROVAL.—The Sec-
20 retary shall—

21 “(1) establish a peer review process to assist in
22 the review and approval of State plans;

23 “(2) in consultation with the National Institute
24 for Adult Education, Literacy, and Workplace Skills,

1 appoint individuals, representing the range of stake-
2 holders, to the peer-review process, including—

3 “(A) representatives of adult learners,
4 adult education, literacy, and workplace skills
5 providers, eligible agencies, State educational
6 agencies, institutions of higher education, rep-
7 resentatives of local or State workforce invest-
8 ment boards; and

9 “(B) experts in the fields of adult edu-
10 cation, literacy, and workplace skills;

11 “(3) approve a State plan within 120 days after
12 receiving the plan, unless the Secretary makes a
13 written determination, within 30 days after receiving
14 the plan, that the plan does not meet the require-
15 ments of this section or is inconsistent with specific
16 provisions of this subtitle; and

17 “(4) not finally disapprove of a State plan be-
18 fore offering the eligible agency the opportunity,
19 prior to the expiration of the 30-day period begin-
20 ning on the date on which the eligible agency re-
21 ceived the written determination described in para-
22 graph (3), to revise the plan, and providing technical
23 assistance in order to assist the eligible agency in
24 meeting the requirements of this subtitle.”; and

25 (3) by striking subsections (f) and (g).

1 **SEC. 209. PROGRAMS FOR CORRECTIONS EDUCATION AND**
2 **OTHER INSTITUTIONALIZED INDIVIDUALS.**

3 Section 225 of the Adult Education and Family Lit-
4 eracy Act (20 U.S.C. 9225) is amended—

5 (1) in subsection (b)—

6 (A) in paragraph (3), by striking “and”
7 after the semicolon at the end;

8 (B) in paragraph (4), by striking the pe-
9 riod at the end and inserting a semicolon; and

10 (C) by adding at the end the following:

11 “(5) integrated education and training pro-
12 grams;

13 “(6) career pathways programs;

14 “(7) dual enrollment programs; and

15 “(8) preparation for postsecondary education
16 and training.”;

17 (2) by redesignating subsection (d) as sub-
18 section (e); and

19 (3) by inserting after subsection (c) the fol-
20 lowing:

21 “(d) REPORT.—In addition to any report required
22 under section 212(c), each eligible agency that receives as-
23 sistance provided under this section shall annually prepare
24 and submit to the Secretary a report on the progress, as
25 described in section 212(c)(1), of the eligible agency with

1 respect to the programs and activities of the eligible entity
2 receiving assistance under this section.”.

3 **SEC. 210. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-**
4 **VIDERS.**

5 Section 231(b)(1) of the Adult Education and Family
6 Literacy Act (20 U.S.C. 9241(b)(1)) is amended to read
7 as follows:

8 “(1) Adult education, literacy, and workplace
9 skills services, which may include workplace literacy
10 services, integrated education and training services,
11 and transition to postsecondary education and train-
12 ing and career pathways.”.

13 **SEC. 211. LOCAL APPLICATION.**

14 Section 232 of the Adult Education and Family Lit-
15 eracy Act (20 U.S.C. 9242) is amended—

16 (1) in the matter preceding paragraph (1), by
17 inserting “the measurable goals to be accomplished
18 as a result of the grant or contract and” after “in-
19 cluding”;

20 (2) in paragraph (1), by striking “and” after
21 the semicolon;

22 (3) in paragraph (2), by striking the period and
23 inserting “; and”; and

24 (4) by adding at the end the following:

1 “(3) a description of how the grantee or con-
2 tractor will collect data for purposes of reporting
3 performance measures to assess and evaluate the
4 progress of adult education students and activities.”.

5 **SEC. 212. ADMINISTRATIVE PROVISIONS.**

6 Section 241 of the Adult Education and Family Lit-
7 eracy Act (20 U.S.C. 9251) is amended by adding at the
8 end the following:

9 “(c) RULEMAKING.—

10 “(1) IN GENERAL.—The Secretary shall issue
11 such regulations as are necessary to reasonably en-
12 sure compliance with this title.

13 “(2) CONSULTATION.—Before publishing in the
14 Federal Register proposed regulations to carry out
15 this title, the Secretary shall consult with the Sec-
16 retary of Labor and obtain the advice and rec-
17 ommendations of representatives of—

18 “(A) adult learners;

19 “(B) adult education, literacy, and work-
20 place skills providers;

21 “(C) eligible agencies;

22 “(D) State educational agencies;

23 “(E) institutions of postsecondary edu-
24 cation, including community colleges;

1 “(F) representatives of State and local
2 workforce investment boards;

3 “(G) other organizations involved with the
4 implementation and operation of programs
5 under this title; and

6 “(H) community based organizations in-
7 volved with the implementation and operation of
8 programs under this title.

9 “(3) MEETINGS AND ELECTRONIC EX-
10 CHANGE.—The advice and recommendations de-
11 scribed in paragraph (2) may be obtained through
12 such mechanisms as regional meetings and electronic
13 exchanges of information.”.

14 **SEC. 213. NATIONAL INSTITUTE FOR ADULT EDUCATION,**
15 **LITERACY, AND WORKPLACE SKILLS.**

16 Section 242 of the Adult Education and Family Lit-
17 eracy Act (20 U.S.C. 9252) is amended—

18 (1) by striking the section heading and insert-
19 ing the following “**NATIONAL INSTITUTE FOR**
20 **ADULT EDUCATION, LITERACY, AND WORK-**
21 **PLACE SKILLS**”;

22 (2) by striking subsection (a) and inserting the
23 following:

1 “(a) PURPOSE.—The purpose of the National Insti-
2 tute for Adult Education, Literacy, and Workplace Skills
3 is to—

4 “(1) provide national leadership regarding adult
5 education and family literacy;

6 “(2) coordinate adult education, literacy, and
7 workplace skills services and policy; and

8 “(3) serve as a national resource for adult edu-
9 cation, literacy, and workplace skills programs by—

10 “(A) providing the best and most current
11 information available;

12 “(B) providing national leadership on the
13 use of technology for adult education; and

14 “(C) supporting the creation of new ways
15 to offer adult education, literacy, and workplace
16 skills services of proven effectiveness.”;

17 (3) in subsection (b)—

18 (A) in paragraph (1), by striking “Na-
19 tional Institute for Literacy” and inserting
20 “National Institute for Adult Education, Lit-
21 eracy, and Workplace Skills”;

22 (B) in paragraph (2), by striking “sepa-
23 rate” and inserting “independent”; and

24 (C) in paragraph (3), by striking “Na-
25 tional Institute for Literacy Advisory Board”

1 and inserting “National Institute for Adult
2 Education, Literacy, and Workplace Skills Ad-
3 visory Board”;

4 (4) in subsection (c)(1)—

5 (A) in subparagraph (A)—

6 (i) in clause (iii), by striking “and”
7 after the semicolon;

8 (ii) in clause (iv), by inserting “and”
9 after the semicolon; and

10 (iii) by adding at the end the fol-
11 lowing:

12 “(v) effective practices for integrated
13 English literacy and civics education pro-
14 grams;”;

15 (B) by striking subparagraph (D) and in-
16 serting the following:

17 “(D) to collect and disseminate informa-
18 tion on methods of advancing education and lit-
19 eracy that show great promise for adults eligi-
20 ble for services under this title;”;

21 (C) by striking subparagraph (E) and in-
22 serting the following:

23 “(E) to provide policy and technical assist-
24 ance to Federal, State, and local organizations

1 for the improvement of adult education, lit-
2 eracy, and workplace skills services;”;

3 (D) in subparagraph (G), by inserting
4 “and integrated English literacy and civics edu-
5 cation programs” after “workforce investment
6 activities”;

7 (E) in subparagraph (H), by striking
8 “and” after the semicolon;

9 (F) in subparagraph (I), by striking the
10 period and inserting a semicolon; and

11 (G) by adding at the end the following:

12 “(J) to carry out section 306 of the Adult
13 Education and Economic Growth Act of 2009;
14 and

15 “(K) not later than 4 years after the date
16 of enactment of the Adult Education and Eco-
17 nomic Growth Act of 2009, to conduct an eval-
18 uation and submit a report to the Interagency
19 Group, the Committee on Health, Education,
20 Labor, and Pensions of the Senate, and the
21 Committee on Education and Labor of the
22 House of Representatives on the effectiveness of
23 programs funded under this title in achieving
24 the purpose described in section 202, which
25 evaluation and report shall include—

1 “(i) a longitudinal study of outcomes
2 for adult learners served under programs
3 under this title;

4 “(ii) an analysis of the adequacy of
5 the performance measures identified in sec-
6 tion 212; and

7 “(iii) recommendations for improved
8 performance measures and on how to im-
9 prove program effectiveness.”; and

10 (5) in subsection (e)—

11 (A) in the heading, by striking “NATIONAL
12 INSTITUTE FOR LITERACY ADVISORY BOARD”
13 and inserting “NATIONAL INSTITUTE FOR
14 ADULT EDUCATION, LITERACY, AND WORK-
15 PLACE SKILLS ADVISORY BOARD”; and

16 (B) in paragraph (1)(A), by striking “Na-
17 tional Institute for Literacy Advisory Board”
18 and inserting “National Institute for Adult
19 Education, Literacy, and Workplace Skills Ad-
20 visory Board”.

21 **SEC. 214. NATIONAL LEADERSHIP ACTIVITIES.**

22 Section 243 of the Adult Education and Family Lit-
23 eracy Act (20 U.S.C. 9253) is amended to read as follows:

1 **“SEC. 243. NATIONAL LEADERSHIP ACTIVITIES.**

2 “The Secretary shall establish and carry out a pro-
3 gram of national leadership activities to improve the qual-
4 ity and outcomes of adult education, literacy, and work-
5 place skills programs nationwide. Such activities shall in-
6 clude the following:

7 “(1) Technical assistance, which may include—

8 “(A) assistance to eligible providers in de-
9 veloping and using certification systems, per-
10 formance measures, and data systems for the
11 improvement of adult education, literacy, and
12 workplace skills activities, including family lit-
13 eracy services, transition to postsecondary edu-
14 cation or career pathways, and integrated
15 English literacy and civics education programs;

16 “(B) assistance related to professional de-
17 velopment activities and assistance for the pur-
18 pose of developing, improving, identifying, and
19 disseminating the most successful methods and
20 techniques for providing adult education, lit-
21 eracy, and workplace skills activities, including
22 family literacy services, transition to postsec-
23 ondary education or career pathways, and inte-
24 grated English literacy and civics education
25 programs, based on scientific evidence where
26 available; or

1 “(C) assistance in distance learning and
2 promoting and improving the use of technology
3 in the classroom.

4 “(2) National demonstration projects for im-
5 proving adult education, literacy, and workplace
6 skills services, which may include projects that—

7 “(A) accelerate learning outcomes for adult
8 learners with the lowest literacy levels;

9 “(B) promote career pathways;

10 “(C) allow dual enrollment in adult sec-
11 ondary education and credit bearing postsec-
12 ondary coursework;

13 “(D) provide integrated education and
14 training services;

15 “(E) build capacity to enhance the inten-
16 sity of adult education, literacy, and workplace
17 skills services;

18 “(F) establish partnerships to improve the
19 quality of and expand adult education, literacy,
20 and workplace skills services to more adults;

21 “(G) provide professional development op-
22 portunities to adult education, literacy, and
23 workplace skills service providers;

24 “(H) develop new curricula and methods of
25 instruction that improve learning outcomes in

1 adult education, literacy, and workplace skills
2 programs; and

3 “(I) provide integrated English literacy
4 and civics education program instruction.

5 “(3) Dissemination of the results and best prac-
6 tices identified in the national demonstration
7 projects described in paragraph (2).

8 “(4) Program evaluation and data collection
9 and reporting.”.

10 **SEC. 215. INTEGRATED ENGLISH LITERACY AND CIVICS**
11 **EDUCATION PROGRAMS.**

12 Chapter 4 of subtitle A of the Adult Education and
13 Family Literacy Act (20 U.S.C. 9251 et seq.) is amended
14 by adding at the end the following:

15 **“SEC. 244. INTEGRATED ENGLISH LITERACY AND CIVICS**
16 **EDUCATION PROGRAMS.**

17 “(a) IN GENERAL.—From funds reserved under sec-
18 tion 211(a)(4) for each fiscal year, the Secretary shall
19 award grants to States, in accordance with the allocations
20 under subsection (b), for integrated English literacy and
21 civics education programs.

22 “(b) ALLOCATIONS.—

23 “(1) IN GENERAL.—Subject to paragraph (2),
24 of the funds described in subsection (a), the Sec-
25 retary shall allocate—

1 “(A) 65 percent to States on the basis of
2 a State’s need for integrated English and civics
3 education programs, as determined by calcu-
4 lating each State’s share of a 10-year average
5 of the data compiled by the Office of Immigra-
6 tion Statistics of the Department of Homeland
7 Security, for immigrants admitted for lawful
8 permanent residence for the 10 most recent
9 years; and

10 “(B) 35 percent to States on the basis of
11 whether the State experienced growth, as meas-
12 ured by the average of the 3 most recent years
13 for which data compiled by the Office of Immi-
14 gration Statistics of the Department of Home-
15 land Security are available, for immigrants ad-
16 mitted for lawful permanent residence.

17 “(2) MINIMUM.—No State shall receive an allo-
18 cation under paragraph (1) for a fiscal year in an
19 amount that is less than \$60,000.”.

20 **TITLE III—21ST CENTURY TECH-**
21 **NOLOGY AND SKILLS FOR**
22 **ADULT LEARNERS**

23 **SEC. 301. PURPOSES.**

24 The purposes of this title are the following:

1 (1) To expand access to adult education serv-
2 ices through the use of technology.

3 (2) To provide professional development for
4 providers of adult education, literacy, and workplace
5 skills services so that they are able to—

6 (A) effectively use technology in the deliv-
7 ery of adult education, literacy, and workplace
8 skills services; and

9 (B) improve the quality of instruction and
10 accelerate the—

11 (i) achievement of basic educational
12 skills, English language literacy, and sec-
13 ondary school equivalency or postsecondary
14 education; and

15 (ii) training readiness for adult learn-
16 ers.

17 (3) To assist States in developing a 21st cen-
18 tury delivery system for adult education, literacy,
19 and workplace skills services.

20 (4) To assist adults in developing technology lit-
21 eracy.

22 **SEC. 302. DEFINITIONS.**

23 In this title:

24 (1) **ADULT EDUCATION TERMS.**—The terms
25 “adult education”, “eligible agency”, “eligible pro-

1 vider”, “Secretary”, and “State” have the meanings
2 given the terms in section 203 of the Adult Edu-
3 cation and Family Literacy Act (20 U.S.C. 9202).

4 (2) DISTANCE EDUCATION.—The term “dis-
5 tance education” has the meaning given the term in
6 section 103 of the Higher Education Act of 1965
7 (20 U.S.C. 1003).

8 (3) INSTITUTE.—The term “Institute” means
9 the National Institute for Adult Education, Literacy,
10 and Workplace Skills established under section 242
11 of the Adult Education and Family Literacy Act (20
12 U.S.C. 9252).

13 (4) TECHNOLOGY LITERACY.—The term “tech-
14 nology literacy” means the knowledge and skills in
15 using contemporary information, communication and
16 learning technologies in a manner necessary for suc-
17 cessful lifelong learning and citizenship in the knowl-
18 edge-based, digital, and global 21st century, which
19 includes the abilities—

20 (A) to effectively communicate and collabo-
21 rate;

22 (B) to analyze and solve problems;

23 (C) to access, evaluate, manage, and create
24 information and otherwise gain information lit-
25 eracy; and

1 (D) to do so in a safe and ethical manner.

2 **SEC. 303. RESERVATION OF FUNDS AND ALLOTMENTS.**

3 (a) RESERVATION OF FUNDS.—From the sums ap-
4 propriated under section 307 for a fiscal year, the Sec-
5 retary shall reserve 3 percent or \$7,500,000 to carry out
6 section 306, whichever amount is less.

7 (b) ALLOTMENT OF REMAINDER.—From the sums
8 remaining for a fiscal year after making the reservation
9 under subsection (a), the Secretary shall allot—

10 (1) 75 percent to carry out section 305;

11 (2) 20 percent to carry out section 304; and

12 (3) 5 percent for administrative costs in car-
13 rying out section 304.

14 (c) ALLOTMENTS TO ELIGIBLE AGENCIES.—

15 (1) IN GENERAL.—From the sums available to
16 carry out section 304 for a fiscal year, the Secretary
17 shall allot to each eligible agency with an approved
18 application an amount that bears the same relation-
19 ship to such sums as the amount received under sec-
20 tion 211(c)(2) of the Adult Education and Family
21 Literacy Act (20 U.S.C. 9211(c)(2)) by such eligible
22 agency bears to the amount received under such sec-
23 tion for such fiscal year by all eligible agencies.

24 (2) MINIMUM ALLOTMENT.—No eligible agency
25 shall receive an allotment under paragraph (1) for a

1 fiscal year in amount that is less than \$100,000. If
2 the amount appropriated to carry out section 304
3 for a fiscal year is not sufficient to pay such min-
4 imum allotment, the amount of such minimum allot-
5 ments shall be ratably reduced.

6 **SEC. 304. GRANTS TO ELIGIBLE AGENCIES.**

7 (a) **AUTHORIZATION OF GRANTS.**—The Secretary
8 shall award grants to eligible agencies from allotments
9 under section 303(b).

10 (b) **APPLICATION.**—

11 (1) **IN GENERAL.**—Each eligible agency that de-
12 sires to receive a grant under this title shall submit
13 an application to the Secretary at such time, in such
14 manner, and accompanied by such information as
15 the Secretary may require.

16 (2) **CONTENTS.**—An application submitted
17 under paragraph (1) shall contain the following:

18 (A) A description of the eligible agency's
19 technology plan for the adult education system,
20 including measurable goals to be achieved.

21 (B) A description of how the eligible agen-
22 cy will provide technical assistance and support
23 to local programs.

24 (C) A description of how the eligible agen-
25 cy will use technology to expand adult edu-

1 cation, literacy, and workplace skills services to
2 more adults, including those in rural areas.

3 (D) A description of the long-term goals
4 and strategies for improved outcomes for adult
5 learners.

6 (E) A description of the professional devel-
7 opment activities to be undertaken.

8 (F) A description of the performance
9 benchmarks and how data will be collected.

10 (G) A description of how the eligible agen-
11 cy will ensure that grants or contracts to eligi-
12 ble providers are of sufficient size and scope to
13 achieve the purposes of this title.

14 (c) ACTIVITIES.—An eligible agency that receives a
15 grant under this title shall carry out the following:

16 (1) Developing a statewide technology plan for
17 the adult education system.

18 (2) Providing professional development for
19 adult education, literacy, and workplace skills service
20 providers.

21 (3) Providing access to curricula, instruction,
22 and assessment for adult learners and eligible pro-
23 viders.

1 (4) Supporting the development of curricula
2 and assessment tools for adult education, literacy,
3 and workplace skills service providers.

4 (5) Providing guidance and technical assistance
5 to eligible providers.

6 (6) Supporting innovative pilot projects such as
7 the use of assistive technology to deliver content to
8 adult learners.

9 **SEC. 305. GRANTS AND CONTRACTS TO ELIGIBLE PRO-**
10 **VIDERS.**

11 (a) **AUTHORIZATION OF GRANTS AND CONTRACTS.—**
12 An eligible agency that receives a grant under this title
13 shall award grants and contracts to eligible providers to
14 carry out activities described in this section.

15 (b) **ELIGIBLE PROVIDER APPLICATION.—**An eligible
16 provider that desires to receive a grant or contract under
17 this title shall submit an application to an eligible agency,
18 which shall include—

19 (1) a description of how the eligible provider
20 will integrate technology into the eligible provider’s
21 delivery of adult education, literacy, and workplace
22 skills services;

23 (2) a description of professional development
24 activities to be undertaken; and

1 (3) a description of plans to regularly replace
2 computers and servers that lack the functional capa-
3 bilities to process new online applications and serv-
4 ices, including video conferencing, video streaming,
5 virtual simulations, and distance education courses.

6 (c) ELIGIBLE PROVIDER ACTIVITIES.—An eligible
7 provider that receives a grant or contract under this title
8 shall carry out the following:

9 (1) Acquiring and effectively implementing
10 technology tools, applications, and other resources in
11 conjunction with enhancing or redesigning adult
12 education, literacy, and workplace skills curricula to
13 increase adult learning outcomes and improve adult
14 technology literacy.

15 (2) Acquiring and effectively implementing
16 technology tools, applications, and other resources
17 to—

18 (A) conduct on-going assessments and use
19 other timely data systems to more effectively
20 identify individual learning needs and guide
21 personalized instruction, learning, and appro-
22 priate interventions that address those person-
23 alized student learning needs; and

24 (B) support individualized learning, includ-
25 ing through instructional software and digital

1 content that support the learning needs of each
2 student or through providing access to high
3 quality courses and instructors, especially in
4 rural areas.

5 (3) Providing professional development activi-
6 ties for providers of adult education, literacy, and
7 workplace skills services that includes—

8 (A) training that is on-going, sustainable,
9 timely, and directly related to delivering adult
10 education, literacy, and workplace skills serv-
11 ices;

12 (B) training in strategies and pedagogy in
13 the delivery of adult education, literacy, and
14 workplace skills services that involves the use of
15 technology and curriculum redesign as key com-
16 ponents of changing teaching and learning and
17 improving outcomes for adult learners;

18 (C) training in the use of technology to en-
19 sure that providers of adult education, literacy,
20 and workplace skills services are able to use
21 technology for data analysis to enable individ-
22 ualized instruction and to use technology to im-
23 prove technology literacy for adult learners; and

1 (D) training that includes on-going com-
2 munication and follow-up with instructors,
3 facilitators, and peers.

4 (4) Acquisition and implementation of tech-
5 nology tools, applications, and other resources to be
6 employed in professional development activities.

7 **SEC. 306. NATIONAL ADULT LEARNING AND TECHNOLOGY**
8 **RESOURCE CENTER.**

9 (a) IN GENERAL.—The Institute shall establish and
10 maintain the National Adult Learning and Technology
11 Resource Center (referred to in this section as the “Cen-
12 ter”).

13 (b) DUTIES OF THE CENTER.—The Center shall—

14 (1) develop frameworks for technology-based
15 learning and professional development materials for
16 adult education, literacy, and workplace skills;

17 (2) develop frameworks for performance meas-
18 ures for technology literacy;

19 (3) provide technical assistance to eligible enti-
20 ties and eligible providers of adult education, lit-
21 eracy, and workplace skills;

22 (4) support distance education for professional
23 development for eligible entities and eligible pro-
24 viders of adult education, literacy, and workplace
25 skills services;

1 (5) support the innovative uses of technology,
2 such as the use of assistive technology, to deliver
3 content to adult learners; and

4 (6) be accessible to the public through the
5 website of the Institute.

6 **SEC. 307. AUTHORIZATION OF APPROPRIATIONS.**

7 There are authorized to be appropriated to carry out
8 this title \$250,000,000 for fiscal year 2010 and such sums
9 as may be necessary for each succeeding fiscal year.

10 **TITLE IV—RESEARCH IN ADULT**
11 **EDUCATION**

12 **SEC. 401. RESEARCH IN ADULT EDUCATION.**

13 (a) IN GENERAL.—Section 133(c)(2)(A) of the Edu-
14 cation Sciences Reform Act of 2002 (20 U.S.C.
15 9533(c)(2)(A)) is amended by inserting “education and”
16 before “literacy”.

17 (b) NATIONAL RESEARCH AND DEVELOPMENT CEN-
18 TER.—

19 (1) IN GENERAL.—The Secretary of Education
20 shall direct the Commissioner for Education Re-
21 search of the National Center for Education Re-
22 search established pursuant to section 131 of the
23 Education Sciences Reform Act of 2002 (20 U.S.C.
24 9531) to establish a national research and develop-
25 ment center for adult education, literacy, and work-

1 place skills as described in section 133(c)(2)(A) of
 2 such Act (20 U.S.C. 9533(c)(2)(A)).

3 (2) PROVISION FOR EXPANSION OF RE-
 4 SEARCH.—If, as of the date of the enactment of this
 5 Act, the Commissioner for Education Research of
 6 the National Center for Education Research has es-
 7 tablished a center for adult literacy in accordance
 8 with section 133(c)(2)(A) of the Education Sciences
 9 Reform Act of 2002 (20 U.S.C. 9533(c)(2)(A)), the
 10 Commissioner shall expand the topic of research of
 11 such center to include adult education, in accordance
 12 with the amendment made by subsection (a).

13 **TITLE V—EMPLOYER** 14 **INCENTIVES**

15 **SEC. 501. CREDIT FOR EMPLOYER EDUCATIONAL ASSIST-** 16 **ANCE PROGRAMS.**

17 (a) IN GENERAL.—Subpart D of part IV of sub-
 18 chapter A of chapter 1 of the Internal Revenue Code of
 19 1986 is amended by adding at the end the following new
 20 section:

21 **“SEC. 45R. CREDIT FOR EMPLOYER EDUCATIONAL ASSIST-** 22 **ANCE PROGRAMS.**

23 “(a) GENERAL RULE.—For purposes of section 38,
 24 in the case of an employer, the employer educational as-
 25 sistance program credit determined under this section for

1 the taxable year is an amount equal to 50 percent of the
2 qualified educational assistance expenses paid or incurred
3 by the taxpayer to or on behalf of any employee of the
4 taxpayer during the taxable year, regardless if the pro-
5 gram is provided at the workplace or outside of the work-
6 place.

7 “(b) LIMITATIONS.—

8 “(1) PER EMPLOYEE LIMITATION.—The
9 amount of the qualified educational assistance ex-
10 penses taken into account under subsection (a) with
11 respect to any employee for the taxable year shall
12 not exceed \$5,250.

13 “(2) TOTAL LIMITATION.—The aggregate
14 amount of the qualified educational assistance ex-
15 penses taken into account under subsection (a) with
16 respect to all employees of the taxpayer for the tax-
17 able year shall not exceed the average of the aggre-
18 gate qualified educational assistance expenses with
19 respect to all employees of the taxpayer taken into
20 account under subsection (a) in the 3 taxable years
21 preceding such taxable year.

22 “(3) TRANSITION RULE.—

23 “(A) IN GENERAL.—In the case of a tax-
24 able year in which qualified educational assist-
25 ance expenses of the taxpayer have not been

1 taken into account under subsection (a) for
2 each of the 3 taxable years preceding such tax-
3 able year, the aggregate amount of the qualified
4 educational assistance expenses taken into ac-
5 count under subsection (a) with respect to all
6 employees of the taxpayer for such taxable year
7 shall not exceed the average of the sum of—

8 “(i) the aggregate qualified edu-
9 cational assistance expenses with respect to
10 all employees of the taxpayer taken into
11 account under subsection (a) in any of the
12 3 taxable years preceding such taxable
13 year, plus

14 “(ii) the aggregate amount of
15 amounts paid or expenses incurred by the
16 employer, for which an exclusion was al-
17 lowable to any employee of the employer
18 under section 127, in any of such 3 taxable
19 years in which no expenses were taken into
20 account under subsection (a), plus

21 “(iii) in the case of a taxable year in
22 which expenses have not been taken into
23 account under subsection (a) or section
24 127 for each of the 3 taxable years pre-

1 ceding such taxable year, an amount equal
2 to—

3 “(I) \$5,250, multiplied by

4 “(II) the number of employees of
5 the taxpayer with respect to which the
6 taxpayer has qualified educational as-
7 sistance expenses in such taxable year.

8 “(c) QUALIFIED EDUCATIONAL ASSISTANCE EX-
9 PENSES.—For purposes of this section—

10 “(1) IN GENERAL.—The term ‘qualified edu-
11 cational assistance expenses’ means expenses paid
12 for educational assistance pursuant to an edu-
13 cational assistance program (within the meaning of
14 section 127(b)).

15 “(2) EDUCATIONAL ASSISTANCE.—The term
16 ‘educational assistance’ has the meaning given such
17 term by section 127(c)(1), applied without regard to
18 subparagraph (B) thereof, except that such term in-
19 cludes a payment only if such payment is made with
20 respect to an employee enrolled in a program pro-
21 vided at the workplace or outside of the workplace—

22 “(A) leading to a sub-baccalaureate degree
23 or career technical certificate awarded by an ac-
24 credited postsecondary institution; or

1 “(B) in basic education, workplace skills,
2 or English language training leading to a na-
3 tionally recognized certificate of proficiency.

4 “(d) OTHER DEFINITIONS AND SPECIAL RULES.—
5 Rules similar to the rules of paragraphs (2) through (5)
6 of section 127(c) shall apply for purposes of this section.

7 “(e) DENIAL OF DOUBLE BENEFIT.—No deduction
8 or other credit shall be allowed under this chapter to an
9 employer for any amount taken into account in deter-
10 mining the credit under this section.”.

11 (b) CREDIT INCLUDED IN GENERAL BUSINESS
12 CREDIT.—Section 38(b) of the Internal Revenue Code of
13 1986 is amended by striking “plus” at the end of para-
14 graph (34), by striking the period at the end of paragraph
15 (35) and inserting “, plus”, and by adding at the end the
16 following new paragraph:

17 “(36) the employer educational assistance pro-
18 gram credit determined under section 45R(a).”.

19 (c) CLERICAL AMENDMENT.—The table of sections
20 for subpart D of part IV of subchapter A of chapter 1
21 of the Internal Revenue Code of 1986 is amended by add-
22 ing at the end the following new item:

“Sec. 45R. Credit for employer educational assistance programs.”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to expenses relating to courses of
3 instruction beginning after December 31, 2009.

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