

1-1 By: Van de Putte, Zaffirini, Uresti S.B. No. 382  
1-2 (In the Senate - Filed December 18, 2008; February 17, 2009,  
1-3 read first time and referred to Committee on Education;  
1-4 April 24, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 24, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 382 By: Van de Putte

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to a competitive grant program to fund promotion of early  
1-11 literacy programs in certain communities in this state.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 73, Education Code, is amended by adding  
1-14 Subchapter I to read as follows:

1-15 SUBCHAPTER I. COMPETITIVE GRANT PROGRAM TO PROMOTE EARLY LITERACY

1-16 Sec. 73.601. DEFINITIONS. In this subchapter:

1-17 (1) "Competitive grant program" means the competitive  
1-18 grant program to promote early literacy established under this  
1-19 subchapter.

1-20 (2) "Health care practitioner" has the meaning  
1-21 assigned by Section 112.001, Occupations Code.

1-22 (3) "Health science center" means The University of  
1-23 Texas Health Science Center at Houston.

1-24 (4) "Literacy program" means a program to promote  
1-25 early literacy.

1-26 Sec. 73.602. ESTABLISHMENT OF COMPETITIVE GRANT PROGRAM TO  
1-27 PROMOTE EARLY LITERACY. (a) The University of Texas Health  
1-28 Science Center at Houston shall establish a competitive grant  
1-29 program to promote early literacy through which the health science  
1-30 center will award grants for the implementation of literacy  
1-31 programs, or the expansion of existing programs, and for the  
1-32 operation of those programs for a period of not less than two years.

1-33 (b) The health science center shall award grants under the  
1-34 program to applicants, including applicants operating existing  
1-35 programs, in a manner that ensures that the literacy programs  
1-36 collectively:

1-37 (1) operate in multiple communities that are  
1-38 geographically distributed throughout this state; and

1-39 (2) provide program services to approximately 50,000  
1-40 children.

1-41 Sec. 73.603. LITERACY PROGRAM REQUIREMENTS. (a) A  
1-42 literacy program funded through a grant awarded under this  
1-43 subchapter must:

1-44 (1) strictly adhere to the program model developed by  
1-45 the Reach Out and Read National Center, including any clinical,  
1-46 programmatic, and data collection requirements of that model;

1-47 (2) provide matching funds in an amount equal to the  
1-48 amount of the grant funds awarded under this subchapter;

1-49 (3) require that health care practitioners volunteer  
1-50 to:

1-51 (A) in conjunction with performing well-child  
1-52 examinations, provide books to children and encourage parents to  
1-53 read to their children to develop preliteracy skills;

1-54 (B) maintain waiting rooms that encourage  
1-55 children to read; and

1-56 (C) provide services designed to increase the  
1-57 school readiness of children receiving program services; and

1-58 (4) partner with local adult literacy providers to  
1-59 encourage parent literacy in appropriate circumstances.

1-60 (b) Matching funds under Subsection (a)(2) may include  
1-61 in-kind contributions.

1-62 Sec. 73.604. APPLICATION. (a) A public or private entity,  
1-63 including a county, municipality, or other political subdivision of

2-1 this state, may apply for a grant under this subchapter.  
2-2 (b) To apply for a grant, an applicant must submit a written  
2-3 application to the health science center on a form prescribed by the  
2-4 health science center in consultation with the Reach Out and Read  
2-5 National Center.  
2-6 Sec. 73.605. ADDITIONAL CONSIDERATIONS IN AWARDING GRANTS.  
2-7 In addition to the factors described by Sections 73.602(b) and  
2-8 73.603, in determining whether to award a grant to an applicant  
2-9 under this subchapter, the health science center may consider:  
2-10 (1) the demonstrated need for a literacy program in  
2-11 the community in which the applicant proposes to operate or expand  
2-12 the program, which the health science center shall determine by  
2-13 considering:  
2-14 (A) the poverty rate, the crime rate, the number  
2-15 of births to Medicaid recipients, the rate of poor birth outcomes,  
2-16 and the incidence of referrals of elementary school students for  
2-17 remedial instruction or special education services, and of child  
2-18 abuse and neglect, during a prescribed period in the community; and  
2-19 (B) the need to enhance school readiness in the  
2-20 community;  
2-21 (2) the applicant's ability to participate in ongoing  
2-22 monitoring and performance evaluations under Section 73.608,  
2-23 including the applicant's ability to collect and provide  
2-24 information requested by the health science center under Section  
2-25 73.608(d);  
2-26 (3) the applicant's ability to adhere to the literacy  
2-27 program guidelines published under Section 73.606;  
2-28 (4) the applicant's ability to develop broad-based  
2-29 community support for implementing or expanding a literacy program,  
2-30 as applicable; and  
2-31 (5) the applicant's history of developing and  
2-32 sustaining innovative, high-quality programs that meet the needs of  
2-33 families and communities.  
2-34 Sec. 73.606. LITERACY PROGRAM GUIDELINES. The health  
2-35 science center, with the assistance of the Reach Out and Read  
2-36 National Center, shall publish guidelines for the literacy programs  
2-37 funded under this subchapter. The guidelines must adhere to the  
2-38 Reach Out and Read national program model standards and guidelines  
2-39 that have been tested and replicated in multiple communities.  
2-40 Sec. 73.607. USE OF PROGRAM FUNDS. (a) In addition to  
2-41 awarding grants under this subchapter, the health science center  
2-42 may use program funds to:  
2-43 (1) administer the competitive grant program; and  
2-44 (2) purchase or contract to purchase discounted books  
2-45 for use by grant recipients.  
2-46 (b) A grant recipient may use grant funds awarded under this  
2-47 subchapter only to cover costs related to implementing or expanding  
2-48 and operating a literacy program, including costs related to:  
2-49 (1) administering the literacy program;  
2-50 (2) training and managing health care practitioners  
2-51 who volunteer to participate in the literacy program; and  
2-52 (3) purchasing or contracting to purchase discounted  
2-53 books for use in the literacy program.  
2-54 Sec. 73.608. PROGRAM MONITORING AND EVALUATION; ANNUAL  
2-55 COMMITTEE REPORTS. (a) The health science center, with the  
2-56 assistance of the Reach Out and Read National Center, shall publish  
2-57 performance indicators that are designed to measure a grant  
2-58 recipient's performance with respect to the literacy program  
2-59 guidelines published under Section 73.606.  
2-60 (b) The health science center shall:  
2-61 (1) use the performance indicators published under  
2-62 Subsection (a) to continuously monitor and formally evaluate on an  
2-63 annual basis the performance of each grant recipient; and  
2-64 (2) prepare and submit an annual report, not later  
2-65 than December 1 of each year, to the Senate Committee on Education,  
2-66 or its successor, and the House Public Education Committee, or its  
2-67 successor, regarding the performance of each grant recipient during  
2-68 the preceding state fiscal year with respect to providing literacy  
2-69 program services.

3-1 (c) The report required under Subsection (b)(2) must  
3-2 include:

3-3 (1) the number of low-income children receiving  
3-4 literacy program services;

3-5 (2) the number of health care practitioners who  
3-6 participate in the program and the estimated value of the services  
3-7 provided by those practitioners under the program; and

3-8 (3) the extent to which each grant recipient adhered  
3-9 to the Reach Out and Read national program model.

3-10 (d) On request, each grant recipient shall timely collect  
3-11 and provide data and any other information required by the health  
3-12 science center to monitor and evaluate the recipient or to prepare  
3-13 the report required by this section.

3-14 Sec. 73.609. COMPETITIVE GRANT PROGRAM FUNDING. (a) The  
3-15 health science center shall actively seek and apply for any  
3-16 available federal funds to assist in financing the competitive  
3-17 grant program established under this subchapter.

3-18 (b) The health science center may use appropriated funds  
3-19 from the state government and may accept gifts, donations, grants  
3-20 of money, and in-kind contributions from the federal government,  
3-21 local governments, private corporations, or other persons to assist  
3-22 in financing the competitive grant program.

3-23 SECTION 2. The University of Texas Health Science Center at  
3-24 Houston shall:

3-25 (1) as soon as practicable, apply for any available  
3-26 federal funds to assist in financing the competitive grant program  
3-27 under Subchapter I, Chapter 73, Education Code, as added by this  
3-28 Act, as required by Section 73.609, Education Code, as added by this  
3-29 Act;

3-30 (2) not later than December 1, 2009, submit a report to  
3-31 the Senate Committee on Education, or its successor, and the House  
3-32 Public Education Committee, or its successor, regarding the  
3-33 implementation and status of the competitive grant program required  
3-34 by Subchapter I, Chapter 73, Education Code, as added by this Act;

3-35 (3) not later than September 1, 2010, establish and  
3-36 implement the competitive grant program required by Subchapter I,  
3-37 Chapter 73, Education Code, as added by this Act, and, with the  
3-38 assistance of the Reach Out and Read National Center, publish the  
3-39 guidelines required by Section 73.606, Education Code, as added by  
3-40 this Act; and

3-41 (4) not later than December 1, 2011, submit the  
3-42 initial annual report required by Subdivision (2), Subsection (b),  
3-43 Section 73.608, Education Code, as added by this Act.

3-44 SECTION 3. This Act does not make an appropriation. A  
3-45 provision in this Act that creates a new governmental program,  
3-46 creates a new entitlement, or imposes a new duty on a governmental  
3-47 entity is not mandatory during a fiscal period for which the  
3-48 legislature has not made a specific appropriation to implement the  
3-49 provision.

3-50 SECTION 4. This Act takes effect September 1, 2009.

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