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12/11/98

Strengthening Title 1 Accountability Requirements

Background

Requirements in Current Law

- States are required to establish content and student performance standards and assessments aligned to the standards by 2000-01 school year. States can have "interim" assessments in place while they develop final assessments aligned to new, higher standards.
- States must define adequate yearly progress (AYP) (i.e., increase in percentage of students meeting state performance standards) for Title 1 schools and local school districts. States have discretion in determining AYP, but it must be defined in a manner that would result in continuous and substantial progress toward meeting state standards within a reasonable time frame.
- States designate distinguished schools and school districts that exceed AYP targets for three years, and may provide them with rewards.
- Schools that do not meet AYP targets for 2 consecutive years are designated as "in need of improvement" and must develop a school improvement plan. Similarly, districts that do not meet AYP targets for 2 consecutive years are also designated as "in need of improvement" and must develop an improvement plan. Schools and districts that are in need of improvement receive technical assistance from the school district or state.
- If a school or district does not meet AYP targets on the state's final assessment for three consecutive years, then corrective action must be taken. Corrective actions are determined by the state or local school district, and may include a variety of steps, ranging from withholding funds to authorizing students to transfer to other schools, to decreasing autonomy, to school reconstitution.

State Implementation Status

In many respects, state implementation of the above requirements has been disappointing.

- No states have officially reported to ED that final assessments are in place; though 18 have reported they have reported to other national organizations that such assessments are in place; because the timeline for triggering corrective actions kicks in when final assessments are in place, states may have an incentive for delaying official notification to ED.
- About half the states have state accountability laws that provide for intervention in low performing schools; however, it appears that in most states the Title 1 requirements operate independent of state accountability requirements, and with less "bite."
- Many states have failed to address significant requirements in defining adequate yearly progress on interim assessments; these failures have either seriously weakened the concept of AYP or limited the incentive for schools to invest in improving the achievement of low achieving and/or disadvantaged students.
- Current law envisions that states would establish — and Congress would fund — intervention teams to work with schools in need of improvement. However, Congress has not provided the program improvement funds (requested at \$10 - million per year) and

there is considerable variation among states in their capacity for significant intervention.

Recommendations for Strengthening Title I Accountability Provisions

We are recommending a number of changes to current law that would provide for a more "muscular" and, we believe, more effective accountability system. In particular, we recommend:

- *Require immediate identification of and intervention in low performing schools.* States would be required to use existing assessments rather than final assessments as the basis of identifying low performing schools. A State would identify no more than 5% of its schools as low performing, and make the identification public. Low performing schools would be the worst in the state -- those with the lowest absolute levels of achievement and which have made little or no improvement over the previous 3 years.

- *Create a sizeable Education Excellence and Accountability Fund to provide states and local school districts with the capacity to reward high performing schools and effectively intervene in low performing schools.* Instead of requesting \$10 - \$20 million for state program improvement efforts, create a substantial (\$200 million +) Education Excellence and Accountability Fund to support required interventions. The intent here is to create a large enough pool of funds so that States have adequate resources to really make a difference in a manageable number of the lowest performing schools in the state. The fund would be used to support:

- External assessments of the needs of low performing schools. As provided for under current law, States or local school districts would create external teams of educators to conduct serious, data-based assessments of low performing schools and identify priority areas for needed improvements. These teams would determine the causes of low performance (e.g., low expectations and an outdated curriculum, poorly trained teachers, unsafe conditions, etc.) and recommend necessary interventions.
 - Implementation of needed improvements. The Fund would give states the resources to immediately address weaknesses in each school, such as purchasing up-to-date textbooks or technology, retraining teachers, reducing class size, providing school safety officers, etc. If it wishes, a State could increase this fund by withholding a small percentage (?) of funds from other programs (e.g., Eisenhower Professional Development, Reading Excellence Act) to fund efforts in low performing schools consistent with the purposes of each program.
 - Extended learning time for all students in the school. Because virtually all students in a low performing school will be at least a year or two behind in achievement, the intervention strategy should provide them with extra help (after-school, Saturday school and summer school programs) to enable them to catch up academically.
 - Rewards to high performing schools, in the form of discretionary funds.
- *Continue to require a progressively more severe range of interventions -- but implement them much faster.* Current law provides for a range of interventions, starting with the development and implementation of an improvement plan by the school. If there has not

been satisfactory progress after an additional 3 years, then the state or school district must intervene more forcefully, through steps such as reconstituting the school staff, letting students the choice of attending other public schools, or closing the school down. Since this new proposal is targeted on the very lowest performing schools and could involve the commitment of significant resources to the school, the initial intervention should be more prescriptive than simply requiring a plan from the school, and should proceed to the more dramatic steps (such as reconstitution) within 2-3 years rather than 3-5 years.

- *Require annual School Report Cards.* All districts receiving Title 1 funds should produce an annual school report card, made available to parents and the public, that reports on student achievement, class size, teacher professional qualifications and school safety and discipline.

Unresolved Issues

These are some issues that have surfaced in earlier discussions or background papers, but have not been fully addressed:

1. Withholding portion of Title 1 funds from low performing schools. In order to capture the attention of low performing schools and their states and districts, and to demonstrate a seriousness of purpose, we considered withholding a portion (5%-10%???) of Title 1 funds from schools identified as low performing, until the school takes the steps determined as necessary by the outside assessment team.
2. Rewards for high performing schools. We did not discuss in any detail how to provide rewards to high performing schools. My recommendation would be to define high performing schools as those Title 1 schools that have made significant achievement gains, both on average and for specific disadvantaged subpopulations (so that they close the gap between minority and majority). Beyond that, we ought to leave States with a good deal of room to determine how best to do this.
3. Including LEP students in Title 1 accountability. ED has proposed more clearly specify the inclusion of LEP students in statewide standards and assessments. In addition, we should hold schools and districts accountable for helping LEP students become proficient in core subject areas and in English in 3 years. Schools should be required to conduct an annual assessment of English proficiency and provide extra help to students who need it, especially students who do not reach the 3-year goal..
4. Role of the National Tests. ED has raised the possibility of requiring implementation of national tests as a condition of participating in Title 1. No one has pushed this hard, but we should give it serious consideration before dropping it.
5. Ending social promotion. The President wants to require Title 1 schools to end social promotions. We should figure out how to do this.

Part I: Equity
Threshold Questions and Purpose
September 14, 1998

The Part I section of the new legislation will contain the major categorical programs that support equity. By grouping these programs together we hope to promote greater coherence among the programs and to make the provisions clearer and more consistent.

We propose the following structure for Part I:

- Purpose
- Authorization
- Application
- Cross-cutting provisions -- (e.g. standards, assessments, accountability, parental involvement)
- Title I -- Part A
- Migrant
- Neglected and Delinquent
- Homeless
- Even Start
- Indian Education
- English Language Acquisition
- Impact Aid

This paper proposes a purpose section for Part I. It then raises three questions that we need resolved in order to more fully develop our supporting options papers:

- Spec 1 - 11 pages?*
1. How much of an emphasis should Part I programs place on the continuum of education, pre-school through grade 12? Our recommendation is that we allow Part I programs to serve the continuum of education -- pre-K through high school. *(ok; don't kick secondary out of Title I) - flex out in early childhood, secondary school papers.*
 2. Should we develop options for professional development in our proposals or should we rely on the work of the Part II Team? Our recommendation is that Part I have either the same language as Part II or even that we encourage districts to transfer funds under Part I that would be used for teacher quality into the same pot of money as Part II. We think that the Part II team should work through these issues. *(ok)*
 3. Should we develop options to reduce the number of paraprofessionals supported by Part I program funds? Our recommendation is that we seriously consider such an option and that it be developed as part of the Part II proposal. *(ok)*
 4. Should there be a stronger emphasis on extended learning-time programs in Part I Equity programs? We believe that a stronger emphasis should be developed. *Push out paraprofessionals as support personnel -> for direct instructional support -*
 5. Should Impact Aid be considered an "Equity" Program in the ESEA reauthorization proposal? We recommend that it be included. *yes - emphasis - Also transition into elimination of pull out*
- Consider as part of equity agenda; but don't hold accountable for equity.*

We assume that we will build issues related to English Language Learners into all of our proposals. A separate paper on LEP issues will support our efforts.

We propose that the Core Team and the Deputy Secretary discuss a series of Part I related papers with detailed options in the order of the following chart.

Supporting papers and schedule

Paper	Lead	Next Steps	Paper Complete	Discussion Date
Strengthening schoolwide programs	Wendy Jo New	Complete pros and cons	9/14	9/15
Improving family and community involvement	David Cleary	<ul style="list-style-type: none"> • Finish pros/cons of new program proposals • Develop recommendations for current language changes 	9/15 - threshold questions 10/6 -- final	9/17 - threshold questions 10/8 -- final
Building staff capacity and quality	Part II	<ul style="list-style-type: none"> • Develop proposals and pros and cons and costs 		
Options to improve standards & assessments	Catherine Jovicich	<ul style="list-style-type: none"> • Consult with experts. • Consult with team • Develop proposals. 	9/25	9/29
Options to strengthen accountability	Catherine Jovicich	<ul style="list-style-type: none"> • Consult with experts. • Consult with team • Develop proposals. 	9/25	9/29
Homeless	Robert Alexander	Complete options and proposals	9/29	10/1
Neglected and Delinquent	Sandy Brown	Develop issues and proposals	9/29	10/1
Early Childhood	Lynson Bobo	Complete options w/ pros & cons	10/6	10/8
Even Start	Pat McKee	Finish proposals w/ pros & cons	10/6	10/8
English Language Acquisition	Delia Pompa		10/11	10/15
Migrant Education	Jim English	Complete options w/ pros & cons	10/21	10/5
Indian Education	Sheila Cooper	Ready	9/15	10/5
Title I Part A outstanding issues	Wendy Jo New	Depending on the resolution of other cross-cutting issues develop technical proposals.	October	October
Impact Aid	Marilyn Hall	COMPLETE	COMPLETE	COMPLETE

main pieces:

- Early Childhood assessment (OEI/EE)
- Consolidated services
- National goals -

Targeting
Equalization

I. PURPOSE

Our assumptions:

- The major purpose of these equity programs is to ensure that students in high poverty schools have educational opportunities that are high quality and provide them equitable opportunities and access to succeed.
- We will know that we have been successful when you can no longer predict student performance based on the socioeconomic status of students in a school.

Recommendation: Maintain section 1001 with some revisions and an updated statement of need:

(a) Statement of Policy.

(1) In general -- The Congress declares it to be the policy of the United States that a high-quality education for all individuals and a fair and equal opportunity to obtain that education are a societal good, are a moral imperative, and improve the life of every individual, because the quality of our individual lives ultimately depends on the quality of the lives of others.

(b) Recognition of Need--The Congress recognizes that--

(1) although the achievement gap between disadvantaged children and other children has been reduced by half over the past two decades, a sizable gap remains, and many segments of our society lack the opportunity to become well educated;

(2) the most urgent need for educational improvement is in schools with high concentrations of children from low-income families and achieving the National Education Goals will not be possible without substantial improvement in such schools;

(3) educational needs are particularly great for low-achieving children in our Nation's highest-poverty schools, children with limited English proficiency, children of migrant workers, children with disabilities, Indian children, children who are neglected or delinquent, and young children and their parents who are in need of *high quality early childhood education and family-literacy services*;

(4) while Title I and other programs funded under this Act contribute to narrowing the achievement gap between children in high-poverty and low-poverty schools, such programs need to become even more effective in improving schools in order to enable all children to achieve high standards; and

(5) in order for all students to master challenging standards in core academic subjects as described in the third National Education Goal described in section 102(3) of the Goals 2000: Educate America Act, students and schools will need to maximize the time spent on teaching and learning the core academic subjects. *[Will need to reference new goals*

(?)

Purpose (from Title I purpose section):

(d) Statement of Purpose — The purpose of this title is to enable schools to provide opportunities for children served to acquire the knowledge and skills contained in the challenging State content standards and to meet the challenging State performance standards developed for all children. This purpose shall be accomplished by--

(1) ensuring high standards for all children and aligning the efforts of States, local educational agencies, and schools to help children served under this title to reach such standards;

(2) providing children an enriched and accelerated educational program, including, when appropriate, the use of the arts, through schoolwide programs or through additional services that increase the amount and quality of instructional time so that children served under this title receive at least the classroom instruction that other children receive;

(3) promoting schoolwide reform and ensuring access of children (from the earliest grades) to effective *research-based* instructional strategies and challenging academic content that includes intensive complex thinking and problem-solving experiences;

(4) significantly upgrading the quality of instruction by providing staff in participating schools with substantial opportunities for professional development;

(5) coordinating services under all parts of this title with each other, with other educational services, and, to the extent feasible, with health and social service programs funded from other sources;

(6) ~~affording parents~~ *ensuring families and communities have* meaningful opportunities to participate in the education of their children at home and at school;

(7) distributing resources, in amounts sufficient to make a difference, to areas and schools where needs are greatest;

(8) improving accountability, as well as teaching and learning, by using State assessment systems designed to measure how well children served under this title are achieving challenging State student performance standards expected of all children; and

(9) providing greater decision making authority and flexibility to schools and teachers in exchange for greater responsibility for student performance. *[may need modification - perhaps refer to greater school and district responsibility for student performance.]*

II. THRESHOLD QUESTIONS

1. **Emphasis throughout continuum of education:** Title I Part A, Indian Education, and Migrant Education currently include provisions that allow grantees to spend their funds on preschool education, elementary school education, and secondary schools. Discretion is left to the school or district on how to allocate resources. We do not have updated figures on how much Title I money districts currently spend in each of the areas along the continuum of pre-K through graduation. We do recognize, however, that most of the statutory language focuses on elementary school programs and we think (based on 1994 figures) that the bulk of Title I Part A funds go to the early grades (27% of pre-K – grade 2 and 27% to grades 4-6).

How much of an emphasis should Part I programs place on the continuum of education, pre-school through grade 12? We ask this as a threshold question because it impacts the manner in which we develop options.

Options:

1a. Focus on the entire continuum of preschool – graduation. Allow districts and schools to have flexibility in how they allocate their resources. Strengthen language in the statute to reflect findings about early literacy development as reported in the NAS reading study. This would include the insertion of more explicit language in the statute that encourages schools to consider the preschool grades as part of their domain since they are the foundation for school readiness. It would also include more explicit language about secondary schooling and the special needs that must be addressed in those years.

Pro: This option promotes more holistic thinking at the district and school levels. District and school reform plans should view education as a series of stepping stones that are interconnected and build upon one another. This approach acknowledges that early childhood education is essential for school readiness and that supports must continue throughout a student's school career so that they graduate from high school prepared to enter postsecondary education or the workforce.

Pro: This option supports local innovation and decision making rather than mandating priorities from the Federal level.

Con: Part I funds are limited and cannot serve all educational needs. If they are spread too thinly across the educational spectrum we risk not having an impact on the education of disadvantaged students. It is currently difficult to track how funds are spent and this makes it difficult to be held accountable for the impact of this program.

Ib. Concentrate Title I Part A (and Indian Education and Migrant Education?) on preschool and the elementary grades.

Pro: Title I dollars cannot meet all of the needs of every high poverty school. This would allow Title I to focus only on the early grades and emphasize reading more.

Pro: Reading by the fourth grade has proven to be a gateway grade for future achievement. Focusing Title I on the early grades better focuses on this essential skill.

Con: This changes little in Title I programs. Most dollars are already targeted to elementary schools.

Con: There are reading and math needs in middle and high schools that cannot be ignored. This discourages district efforts to connect educational programs across the continuum of a student's school career.

Recommendation: Option 1a, the full continuum of education.

2. Teacher quality: The impact of Part I programs will depend to a large extent on the quality of the instructional staff in those programs. Should we develop options for professional development in our proposals or should we rely on the work of the Part II Team? How can Part I build on Part II (quality teaching) to ensure that students who are beneficiaries of Part I programs are served by high quality staff and that they have the necessary instructional supports to reach high standards?

Options:

2a. Mirror professional development provisions determined in Part 2.

Pro: This provides greater focus and impact for our teacher quality investments.

Pro: Greater consistency increases the likelihood that states and districts will move away from categorical and "stovepipe" operation of programs.

2b. Allow funds from Part I to go into a single pot of money with Part 2 to support teacher quality.

Pro: same as above. Additionally, this ties categorical programs to overall reforms in teacher quality.

Caveat: We need to be sure that the staff of Part I schools are targeted in teacher quality initiatives.

Con: There is a risk that teacher quality programs will be developed without the involvement of staff dealing with Part I beneficiaries. Such a disconnect would not serve these programs.

Con: Accountability for the use of Part I funds may become difficult to track if those funds are merged with Part II.

Recommendation: Part II should explore both of these options. In theory we support both.

- 3. Paraprofessionals:** A key component of quality teaching is having qualified instructional staff in Part I programs. Currently, Title I, Indian Education, Migrant Education, and Bilingual Education programs all allow funds to be used to hire paraprofessional staff.

Our recommendation is that the Part II Team explore options to eliminate paraprofessionals in Part I programs. One idea is to prohibit the use of paraprofessionals for instructional purposes in Title I schools after a specified period of time. Allow a percentage of Title I funds to be used during the transition period to help paraprofessionals earn degrees and teaching certificates. Currently, approximately 39% of Title I instructional staff are paraprofessionals. Ensuring that Title I schools have highly qualified instructional staff is essential for helping Title I beneficiaries reach high standards. This issue came up throughout focus groups and outreach sessions and seems to generate widespread support.

Such an option allows districts to transition to hiring qualified instructional staff. Strict requirements ensure that hiring policies and practices will change. Helping paraprofessionals become certified helps keep committed people in the classroom and may increase the number of minority teachers in Title I schools. Such an option also supports the achievement of more challenging content and student performance standards, since students will need to have teachers who thoroughly understand the content and instructional techniques necessary for all students to reach challenging standards.

An issue that needs to be explored under this proposal is that it could be very expensive. Opposition by districts that use Title I as a hiring program should be expected. This exacerbates a teacher shortage in the short term while paraprofessionals are moved out of classrooms.

Recommendation: Have the Part II Team develop a proposal. Part I will help, but this should be considered in the context of promoting overall teacher quality.

4. Extended Learning Programs: Should there be a stronger emphasis on extended learning-time programs in Part I Equity programs? Extended learning time programs are permitted and specifically encouraged in Title I Part A, Indian Ed, and Migrant Ed programs but we believe that the use of extended learning-time programs as a strategy for improving student achievement is not being as widely used as it could be.

The benefits to participating in extended learning time programs include better grades and higher academic achievement, increased interest and ability in reading, improved school attendance and reduced dropout rates, reduced retention in grade and placement in special education, higher aspirations for the future including intention to complete high school and to go on to college.

Options:

4a. Award priority points for 21st Century Community Learning Center grant applications to schools who are already providing extended learning-time programs.

Pro: Creates an incentive for schools to provide extended learning programs.

Pro: Introduces a research-based program strategy into extended learning programs.

Pro: Increases coordination of federal, State, and local resources as a strategy for maximizing resources.

Pro: Promotes the development of community partnerships.

Pro: Improves accountability requirements for schools with extended learning-time programs

Con: Not all grant applicants have equal access to 21stCCLC grant funding.

4b. Require each Part I program to use a certain percentage of their funds to implement extended learning-time programs.

Pro: Requires school systems to invest funds in a research-proven strategy to improve student achievement.

Pro: Increases student access to extended learning-time programs.

Pro: Promotes the coordination of federal, State, and local resources.

Pro: Requires schools to redesign instructional program to link with extended learning-time activities.

Pro: A specified percentage of funds would enable a baseline level of service to be provided.

Con: Reduces flexibility of schools to design their education program.

Con: Requires schools to redesign their instructional program to incorporate extended-learning-time activities.

4c. Require Schoolwide Programs to include extended learning time in their schoolwide plan.

Pro: Provides greater access to services for Migrant and other highly mobile populations.

Pro: Promotes extended learning time programs as a school improvement strategy integral to improving the school education program.

Con: Reduces flexibility for making decisions about the school education program.

4d. Require that schools designated as "in need of improvement" include extended learning-time programs as a component of their school improvement plan.

Pro: Promotes extended learning time programs as integral to making improvements in the school education program.

Pro: Provides low-achieving students with an enhanced educational program.

Con: May dilute academic services provided during the regular school day because of limited resources.

Con: Reduces flexibility for decision-making around school improvement strategies.

4e. Require that school districts with schools in need of improvement use a portion of their Part I funds to provide extended learning-time programs for the children in those schools.

Pro: Does not take away resources from the school's instructional services.

Pro: Takes children from "failing" schools to provide better services.

Pro: Promotes district-wide buy-in to extended learning-time programs as a strategy for improving school and student performance.

Pro: Promotes improvements in district policies related to extended learning-time as a school improvement strategy.

Pro: Promotes federal, State, and local coordination and collaboration.

Con: Difficulty of designing a program at the district level that would support each school's academic program

Con: Reduces district flexibility for developing and implementing school improvement strategies.

Con: School districts must seek additional support from federal, State, and local partners.

5. Impact Aid: Should Impact Aid be considered an "Equity" Program in the ESEA reauthorization proposal?

Pro: Impact aid provides equity in local revenue to a special class of LEAs—those enrolling federally connected children.

Pro: Many federally connected children supported through Impact Aid are also target populations served through other OESE programs—Indian children and low-rent housing children (and many military dependent children are also low-income).

Pro: Partially in response to a presentation by Susan Frost at an Impact Aid Association conference, we have been using the bully pulpit for the last two years to encourage LEAs to consider how they use their Impact Aid with other Federal equity program funds to improve educational outcomes for the children they serve.

Pro: A primary issue for Impact Aid is how to increase parent and tribal consultation to improve educational outcomes for Indian children—an equity issue.

Pro: Excluding Impact Aid from the conceptual framework of the reauthorization makes it the "orphan" program and continues to send the unwelcome message to Impact Aid recipient school districts that this program is not important to the Administration and thus they and their students are not important.

Con: Impact Aid is viewed as a revenue source for school buildings as opposed to a program for children.

Recommendation: Include Impact Aid in Part I of the new legislation.

Author: Ann O'Leary at Wdcb04

Date: 11/14/98 04:25 PM

Priority: Normal

TO: Wendy New at WDCJ02

7: Susan Wilhelm at WDCJ03, Judith Johnson at WDCJ03

Subject: Re: schoolwide paper

Wendy Jo -

Thank you for passing this along. I have read it and am now passing it on to Mike to read. I will get back to you shortly with his comments.

My comments:

I think it is a very good paper that raises the right issues. I still have some question about the capacity of States and external providers' ability/capacity to provide the type of technical assistance and support that schoolwides need, but I think this issue should be addressed in our technical assistance paper. I know you will be in Denver when we meet with the t.a. group, but I will raise this issue.

A couple of other brief comments:

(1) In the recent Wong/Meyer article on schoolwides, they cited research that over 50% of schoolwides take less than 6 months to plan. Would it be possible/desirable to provide eligible schoolwides with funding for planning to conduct the needs assessment and develop the plan for a comprehensive research-based design with continuous improvement?

*ok but
is this a
problem?
How long
does it
take?*

(2) They also cited that schools that received information from States and Districts on eligibility and initial information about implementation, were more likely to begin a schoolwide program and were more likely to demonstrate characteristics of successful schoolwides. I think it would be helpful to specifically require States to provide initial information to ALL eligible schoolwides.

(3) One question that I had was whether the option to create a Comprehensive School Reform Challenge Fund would replace and build upon CSRD or would be in addition to CSRD.

(4) On the issue of whether schoolwides are effectively serving special populations, e.g. LEP students, you mention that you are consulting with OBEMLA and OSERS. This issue is one that seems to be coming up consistently as we talk to folks and in articles that I have read. It also seems that with the political focus on how we serve LEP students that this issue will be a hot one. Is someone from OBEMLA/OSERS (and OERI) assigned to this issue? Although, I know the research is very limited, I think it would be helpful for us to read about/see models of schoolwides that are effectively serving special populations. Do we have such examples? And, if so, can we draw upon them to inform this issue?

*Co-ordinator
may help -
Some risk
lessons, right,
hence, with
do the
work
show?*

Thanks for all of your hard work. I will get back to you soon with Mike's comments. In the meantime, let me know if there is anything I can do to help.

-Ann

*J & W
W
CSRD
P
A*

SCHOOLWIDE PROGRAMS AS A STRATEGY FOR REFORM

Title I schools with at least 50% poverty are eligible to conduct schoolwide programs, as authorized in section 1114 of Title I. Schoolwide programs are intended to address the educational needs of children living in impoverished communities by supporting comprehensive strategies for improving the whole school so every student, including the lowest achieving students, achieves high levels of academic proficiency.

The 1994 reauthorization of ESEA gave schools serving low-income students greater flexibility to systematically assess the whole school's educational needs and design schoolwide solutions.

- This increase in flexibility was justified based on earlier findings that Chapter 1 was operating as an add-on program that worked on the margins; that as a supplementary program, Chapter 1 had little effect on the regular program of instruction; that Chapter 1 did not contribute to high-quality instruction; and that Chapter 1 was not tied to state and local reform efforts. [See IASA Prospectus, p. Title 1-4 and 5]
- This flexibility has also resulted in a remarkable growth in schoolwide programs. In 1994-95, 5,050 Title I schools operated schoolwide programs (projects) [Chapter 1 participation report]. By 1997-98 the total grew close to approximately 16,000 of all Title I schools [Follow-up School survey (draft)]. [Note: Some work is currently underway to get more accurate numbers for operating and eligible schoolwides.]

Finally, schoolwide programs may combine most Federal education program resources with state and local resources to upgrade the effectiveness of the entire school program. Schools are not required to identify children as eligible for particular services or track the combined federal resources to particular children or services. Rather, they may use the combined resources to improve the school's educational program while meeting the intent and purposes of the programs for which funds are allocated.

Overall assumptions and questions:

Schoolwide programs for high poverty schools are viewed as the option that will best allow for comprehensive school reform and better educate children attending such schools, particularly the targeted populations for whom Federal funds are allocated. We support the notion of challenging standards for all children. We support comprehensive school reform. How can the legislation strengthen schoolwide programs as a tool for reform? Is there some lever that can be incorporated in the legislation to encourage best (better) practice?

ok

The current legislation on schoolwide programs incorporated what was learned about effective school practice and from the evaluation on past schoolwide projects. The schoolwide components and plan reflect these lessons and are attached for reference. [See section 1114 of

Title I]

Recent research supports an emphasis on schoolwide programs by demonstrating that the goal of academic success for all students requires special support that comes when resources, practices, and procedures are coordinated across an entire school. Common characteristics of effective schoolwide programs include: [all cited from Vol. 1 of the SWP Idea Book, pp. 9-11]

- Comprehensive planning, which reflects the priorities of the school community and is informed by data regarding student needs and achievement (SWP Idea Book, Vol.1),
- Attention to specific curriculum improvement in all academic subjects, which is coupled with comprehensive planning efforts and support for instructional staff (Fashola and Slavin, 1998 and Herman and Stringfield, 1997-CRESPAR, Johns Hopkins Univ.; and Wang, Haertel and Walberg, 1997, Mid-Atlantic Laboratory for Student Success, Temple University),
- A commitment to seeing that all students achieve at their fullest potential (Charles Dana Center/Joe Johnson, 1997), and
- Accountability and a process for continuous improvement (SWP Idea Book, Vol. 1).

The full potential for schoolwide programs to incorporate comprehensive strategies designed to support all students in reaching high standards has not been fully realized. [93% of principals report using Title I funds to improve the entire educational program in a school yet we do not yet have evidence that they are implementing the strategies for school reform, and 83% use funds to provide professional development. Schoolwide programs also use Title I funds for more traditional strategies, including: serving targeted children in a pull-out setting--51%; serve targeted children in an in-class setting--81% (same % as TAS); use Title I funds to support extended time learning--49%. (Draft tabulations, Follow-up Survey of Schools--school year 1997-98)

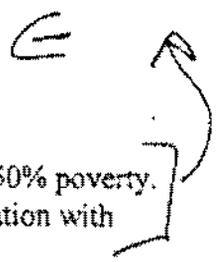
Issue: Should schoolwide program eligibility be availed only to schools above a certain poverty threshold, or should all Title I schools be eligible?

Status: Under Chapter 1, schools that had at least 75% poverty were allowed to conduct schoolwide projects. By the end of the Chapter 1 authorization, approximately 8,000 schools were operating schoolwide projects. Under the current law, the poverty threshold for eligibility was lowered to 60% for the 1995-95 school year and to 50% for subsequent years. According to our latest information, there are approximately 22,000 Title I schools now eligible to conduct schoolwide programs with approximately 16,000 of those that have chosen to operate them.

In 1997-98, 80% of the highest poverty schools (w/75 or >% children eligible for free/reduced lunch) and 66% of schools (w/50-74.9% of children eligible for free/reduced lunch) operated

schoolwide programs.

*What is the
revenue?
5 don't*



RECOMMENDATION: Maintain the current schoolwide eligibility threshold at 50% poverty. [Although Core Group agreed with this recommendation, it still warrants a conversation with Mike and Mary Jean at the table.]

Pro: Schoolwide programs were intended for very high poverty schools with the rationale that the higher the concentration of poverty, the higher the likelihood of a high degree of educational deprivation. Therefore, it seems to make less sense to target funds and separate services on a very large population of students rather than improving the entire educational program in a school for the entire population, including low-achieving students.

*who would
concentrate?*

Pro: Concentrating on making existing schoolwide programs successful can have a positive influence on other Title I and non-Title I schools by interesting them to become part of a comprehensive reform effort.

?

Pro: There is not enough evidence to demonstrate that the number of schoolwide programs currently operating are having the intended impact—increased student achievement for our neediest population.

*concentrate
+ significant
non-
schoolwide
5th 5
school?*

Pro: The existing capacity to provide meaningful assistance and support to schools currently operating schoolwide programs is inadequate.

Con: 35% is considered a poverty cut-off for Title I general eligibility purposes so some could argue that it should be considered so for schoolwide programs, as well.

Con: Schoolwide programs provide the most flexible opportunity for schools to use Federal education funds with state and local resources to comprehensively reform a school.

Con: By moving to a schoolwide approach, more schools will do comprehensive needs assessments and develop programs that address those needs. Presumably, special strategies would have to be identified for students with the greatest needs. Allowing funds to be used in schoolwide programs gives schools the greatest flexibility to target their funds in ways that make the most sense for addressing the needs of the school.

2 Issue: Are there ways in which the legislation can be improved by building on some of the promising aspects of the Comprehensive School Reform Demonstration (CSRDP) Program legislation?

Status: The CSRDP program is authorized by Public Law 105-78, the FY 1998 Department of Education Appropriations Act. The purpose of the program is to provide financial incentives for schools that need to substantially improve student achievement, particularly Title I schools, to implement comprehensive school reform programs that are based on reliable research and

- Within two years of the passage of the legislation, these requirements must be met by all schoolwide programs, including new schoolwide programs and those currently operating*:

I. Comprehensive Data-Based Needs Assessment: A school will conduct a comprehensive data-based needs assessment reflective of the entire school's impact on student achievement, including factors such as:

- Academic performance of students in relation to the state standards, including the needs of special populations in the school such as children with limited English proficiency and children with disabilities;
- First graders' reading skills as assessed through a diagnostic evaluation;
- Attendance; Dropout rate; Mobility of student population;
- Staff quality and training related to student needs;
- Classroom and school management.
- School climate; Environment; Safety and discipline;
- Class size;
- Financial and other resources;
- Technology;
- Parent and community involvement and characteristics.

*pullid
plan - documents
do all parents -
have email list
all new parents*

*monthly
the is
a
paper
exercise!
how to use
make it
need?*

II. Comprehensive, Research-Based Design With Aligned Components

- The plan must have a comprehensive design, based on the results of the school's comprehensive needs assessment, to improve teaching and learning throughout the school including, but not limited to, curriculum, instruction, assessment, classroom management, continuous professional development, parental involvement, technology and school management.
- The elements of the program must be aligned into a schoolwide reform plan designed to enable each student in the school -- including students from low-income families, students with limited English proficiency, and students with disabilities -- to meet challenging State content and student performance standards.
- The plan must:
 1. Utilize effective, research-based, methods and strategies*, based on data-based needs assessment, aligned with challenging state standards.
 2. Strengthen the core academic program in the school, and may include high quality extended learning opportunities beyond the regular school day or year.
 3. Address the transition of students to and from the gradespan the schoolwide program serves.
- The design for each plan shall include:

*This all
should be
gathered
-- not
legislative*

Effective, research-based methods and strategies: The plan must describe how the schoolwide program employs methods for student learning, teaching, and school management that are based on reliable research and effective practices and are appropriate for the grade span served.

Instruction by highly qualified professional staff: The plan must demonstrate that the school will employ professional staff that are most qualified to teach the skills and subjects required for all students, particularly low-achieving students, to meet the state's standards.

Professional development: The plan must describe the high-quality and continuous staff development and training, including leadership training for the principal. Such professional development will be aligned with the needs of the school determined through the needs assessment.

School support: The plan provides evidence that the schoolwide program has the informed support of the principal, school faculty, and other administrators.

Parent and community involvement: The plan must describe the meaningful involvement of all groups of parents and the local community in the planning and implementation of the schoolwide program activities. *[Suggestion to make the language in law consistent in this and the school support component above—meaningful inv. v. informed]*

Ongoing external assistance: The plan must describe how the school, in the development and implementation of its plan, will utilize ongoing high-quality external support and assistance from educators or educational organizations with experience in schoolwide improvement, which may include universities.

Use of resources: The plan must describe how all significant resources available to the school (local, State, Federal, and private, if applicable) will be used to support and sustain the school's comprehensive improvement effort.

III. Continuous Improvement:

The plan must include measurable goals and benchmarks that include timelines against which progress will be measured in the annual review under (1116) in order to continually improve the program design and its implementation. (Law might include examples of what these would be.)

IV. Peer Review and Approval

Each schoolwide plan must be peer reviewed by a (advisory) panel of persons who are external to the school including persons independent of the LEA or SEA but may include persons from the LEA or SEA, and who are knowledgeable about school reform and successful schoolwide programs, including strategies for working with low-achieving students and the different types

of students to be served by the program. It is expected that the peer review would be distinctly separate from the ongoing technical assistance that a school should receive (see components).

Schoolwide program plans for schools identified as in need of improvement must be approved by the SEA (see State Role).

STATE ROLE: To prepare schools for becoming effective schoolwide programs, the state will:

Disseminate information development to eligible schools
Assist schools with conducting and using a data-based needs assessment.

Disseminate information and research on effective practices and improving high-poverty and low-performing schools.

For those schools that have been identified as in need of improvement, approve schoolwide plans, taking into account feedback from the peer review and after schools have had an opportunity to make any necessary adjustments suggested by the peer review. [States have claimed that without specific authority to approve schoolwide plans, they are not easily able to require schools to upgrade their plans and programs when necessary. Furthermore, States are required to ensure proper and efficient administration of Title I funds. With such a flexible strategy, States must ensure that a schoolwide program's purpose is realized. Finally, a more formal State role will help to build a stronger, linked system—of schools, districts, and states—of support for schoolwide programs. However, State capacity is not adequate in many states to carry out an effective approval process for all schoolwide plans. Furthermore, presumably, schools that are making adequate yearly progress and that have gone through the process of developing a plan in consultation with the LEA, and have gone through a peer review process will more likely have a promising schoolwide program if implemented as designed. Therefore, this proposal now limits state approval to those schools identified for improvement.

Provide sustained intervention for schoolwide programs most in need of improvement consistent with the accountability section in the law.

DISTRICT ROLE:

The schoolwide program plan must be developed (in consultation) with the LEA.

To prepare schools for becoming effective schoolwide programs, for all schoolwide eligible schools, the district shall:

Provide information and research on effective strategies for strengthening entire schools (including rigorous curriculum and instructional and organizational practices);

Assist schools with matching research-based school reform strategies with the specific identified needs of the school (based on school and student achievement and other data), and with state standards and district goals and objectives;

Assist schools in identifying and securing appropriate, high-quality external assistance;

Support schools in allocating and using financial, personnel, and other resources available to the schoolwide program school that will enable the school to successfully implement the schoolwide plan.

Assist schools in carrying out ongoing evaluation and continuous improvement of schoolwide plans for raising student achievement.

LEA CONSOLIDATED PLAN This is presented here to be read with this proposal yet will be placed in an appropriate legislative section and title.

In its consolidated plan, the district must describe how it will serve as a support to schools in the development of school improvement plans, including how it will:

Assist schools with conducting and using a data-based needs assessment.

Disseminate information and research on effective practices and improving high-poverty and low-performing schools.

Assist schools with matching instructional strategies with identified needs.

Assist schools with using evaluation as a tool for continuous improvement.

Allocate federal program resources, including and in addition to Title I.]

[NOTE: PER OCTOBER 8 CORE TEAM MEETING

Overall approach/vision is acceptable. More specific items to be discussed in more depth are: Should there be a distinction in law between already existing (about 16,000) v. new (a potential of about 6,000+ or - more schoolwides in terms of how much of this would apply to them?

How can the law be structured to more deliberately address the notion of "ongoing improvement" v. the perception that schools have to continually "overhaul" their school operations? We have proposed a lot of front end stuff but perhaps need to focus more on what happens once schoolwide are operating.

We refer to research-based effective practices. A potential problem could arise when the various research findings conflict.

Peer review—How to address the capacity (possible cost) problems that might arise? Structured to be a body of people that at least includes some outsiders. What if a school board wants to be that body? OK? Big authority/role issue.)

2a Issue: What incentives and assistance will be provided to schoolwide program schools to fully address the new, more rigorous requirements proposed for schoolwides.?

INCENTIVES AND START-UP ASSISTANCE

Proposal: As a companion to the new schoolwide requirements, establish a **Comprehensive School Reform Challenge Fund** that will assist up to 10,000 schools over 5 years to initiate research-based comprehensive reform efforts. The fund will play a role very similar to that currently played by the CSRD demonstration – providing an extra incentive and start-up assistance to schools that need to raise achievement and that commit to implementing genuinely high-quality, comprehensive schoolwide reform programs based on evidence of effectiveness.

Rationale: This paper proposes changes in the requirements for all schoolwide programs that reflect the more rigorous requirements of CSRD. Further incentives and support should be provided, however:

- Based on anecdotal reports from States and local school officials, the \$50,000+ per school award (per year, for up to three years) in the existing CSRD legislation appears to be serving as a surprisingly potent inducement for many districts and schools to take a fresh, methodical look at research-based, comprehensive school reform – and at what they are doing with the resources they already receive. In fact, some states are finding the approach so useful that they are developing state school improvement programs or awarding Goals 2000 funds using the CSRD criteria. Relative to the existing level of Federal investment in schoolwide programs, the leveraging impact of this additional \$50,000+ per year is a bargain, and, given its success to date, should be continued in some fashion in the reauthorization.
- Many schools will accept the new, more rigorous schoolwide requirements simply in order to retain (or obtain, for the first time) enhanced flexibility in use of funds at the building level. However, many other schools will need an extra to fully embrace the more stringent provisions. The Comprehensive School Reform Challenge Fund would hold out the promise of extra help for those that need it and develop the most rigorous proposals for improvement.
- RAND research indicates that, while the costs of designs vary considerably, “assuming effective resource allocation, the addition of \$50,000 in Obey-Porter funds will allow most Title I schools to implement comprehensive reform without needing additional resources.” Consistent with other objectives, we should continue to provide supplemental

*20/100
1,000
critic
50 million*

*1.5 billion
25 years*

200	200	200			
	200	200	200		
		100	100	100	
					10,000 schools

funding to assist schools with start-up costs.

- Given the Department's overall emphasis on encouraging comprehensive reform based on evidence of effectiveness, it is important to include a funding initiative that devotes substantial resources to this strategy.

Method of Distribution; Selection Criteria

As with CSRD, Comprehensive School Reform Challenge funds would be provided to states on a formula basis, with subgrants awarded by the State, in a competitive process. Awards would go to districts on behalf of specific schools proposing to implement specific comprehensive reform programs.

A critical feature of this initiative is that funds would be provided competitively, rather than to all schoolwide programs. This feature is necessary in order to motivate schools and their districts to do a rigorous job in developing their reform proposal for strengthening the entire school and for using other resources available to the school. The funds should not be viewed as an entitlement, or as a part of the base funding available to the school.

Finalists would be recommended based on the peer review process to be established by the State for all schoolwide programs, with final selections made in a process to be determined by the SEA.

Selections would be made based on the quality and coherence of the school's reform proposal, as related to the new criteria for all schoolwide programs, together with:

- The school's need for reform (focusing on student achievement in core subjects under the state's assessment/accountability system).
- Evidence of the district's commitment to provide ongoing support for comprehensive reform.
- Preference for schools that propose to work together to implement the same or similar reform efforts.

Amount of Funding; Allowable Uses

Schools (or consortia of very small schools) would receive a minimum of \$50,000 per year, up to a total of \$100,000 per year, renewable for up to three years if the school is making substantial progress in implementing its reform effort, based on implementation benchmarks described in the school's reform plan and agreed to by the State.

Schools would be allowed to use funds for the initial implementation of a comprehensive reform

program, including reform programs that the school has begun to implement within the academic year that the award is made. The state and district may not reduce their commitment of funds to support the school's reform effort as a result of the school's award.

Structure: Eligibility and Distribution of Awards:

The main part of the program (part A) would be authorized under Title I, with eligibility limited to schools that are eligible to be schoolwide programs under Title I, and that have been approved by the state to operate as schoolwides. (Schools below 50% poverty that are operating as schoolwide programs under a waiver are not eligible for Part A, but would be eligible for part B).

A parallel authority (part B) would be established under the reauthorization proposal's new reform and innovation authority or teacher quality authority. The funds under part B would be open to other Title I eligible and non-Title I schools, in order to encourage districts to support entire-school reform for schools that need it across entire districts. The basic requirements and selection process and criteria would be the same.

As with current provisions for CSRD, LEAs (or consortia of LEAs) could apply on behalf of individual schools or consortia of schools. For a consortia involving multiple very small schools, the \$50,000 minimum would apply to the consortium so long as it serves no more than 500 students.

Additional features

[Option -- The **Comprehensive School Reform Challenge Fund** could include a national leadership section, providing funding for such things as the development of state and local networks around comprehensive school reform, and funding for ongoing research and development to address the need for more and better models serve the needs of all grade levels and student populations. This could be placed in Title I or in the research and innovation portion of the proposal.]

[Option -- The **Comprehensive School Reform Challenge Fund** could also include a national competition for [10-20] **school districts** with substantial numbers/percentages of low-achieving students that want to assist their entire district, or large clusters of schools within the district, to implement research-based school reform programs. This competition would acknowledge and model the district leadership role in helping move comprehensive reform beyond "victory gardens" to more systemic improvements in local school systems. This could go in the Title I or research and innovation portion of the proposal]

3 Issue: Should persistently low-performing targeted assistance Title I schools that are eligible to conduct schoolwide programs be required to use the approach in Recommendation 2?

[Will continue to be discussed in the context of general Title I accountability.]

Pro: This would require low-performing schools to undergo a comprehensive needs assessment and get appropriate technical assistance to redesign the school by incorporating strategies that will better educate the students.

Con: Requiring this effort without adequate buy-in from the staff and community and commitment to implement the schoolwide plan will not necessarily improve the school. Without this, it could, in fact, even result in Title I having a worse impact on low-achieving students.

4 Issue: How should the ESEA legislation put more emphasis on encouraging LEA personnel and/or schoolwide programs to combine most of the Federal education program resources administered by ED with their local and State resources for the purpose of more effectively educating all students through a comprehensive design?

Status: The underlying rationale for combining resources in schoolwide programs has been that it gives schools more flexibility to operate coherent educational programs and also reduces Federal reporting burden by removing requirements that apply to individual Federal programs. Although some schoolwides have combined Federal resources to some extent and there is some indication that more are considering it (based on verbal comments made by State and district coordinators), the majority of schoolwide programs are primarily relying on Federal Title I, Part A resources. Not only does the law provide the authority combining most Federal education funds with state and local resources, but we have issued regulations, a Federal Register Notice, lengthy nonregulatory guidance that is easy to read and contains some examples, Crosscutting ESEA Guidance: Companion Document (all of this is on the Internet), are issuing Schoolwide Idea Books, and have had many conferences throughout the country that included schoolwide programs as a topic, etc. Furthermore, the Individuals with Disabilities Education Act Amendments of 1997 (IDEA 97), specifically authorized the use of a proportionate amount of IDEA funds for schoolwide programs.

Despite these efforts, a survey of schoolwide programs serving migrant children found that only about one-third combined Migrant Education Program funds with other federal, state, and local resources. Schools that combined MEP funds in their schoolwide programs were much more likely to address the needs of migrant students specifically in their schoolwide program plans. Key reasons identified by schools for not combining MEP funds in their schoolwide programs include:

- Most MEP funds were spent at the district level and were not available to individual school;
- The amount of MEP money available to schools was too small to make much of a difference in the overall educational program of the school;
- Migrant program staff and school administrators were concerned about maintaining

accountability for MEP funds; and

- Migrant program, district and school staff were hesitant to eliminate all categorical "separate" services for students in need because they were concerned that their needs might be overlooked. [Meeting the Needs of Migrant Students in Schoolwide Programs, draft.]

The above identified issues are not necessarily unique to the Migrant program. The same finding could be true for Titles II, IV, and VI. Later this Fall, we will have data to inform us of this.

*Maybe it is OK for special pops - LEP, MEP - and others
evidence & data synthesis by Wray & Miron suggest
that student need in need to address issues might not
be getting it in
involved*

Obstacles to reform: Combining resources in schoolwide programs continues to be perceived as a Title I program feature, rather than as a general mechanism for using Federal funds more effectively.

Perception/fear that special needs of specific populations will not be addressed within schoolwide programs. *→ How can we address this problem? OK*

Perception that needs of students with few or no Federal program funds need not be included in comprehensive schoolwide planning.

Lack of a consistent message from ED to the field.

Fear of audits even though the audit compliance supplement is very clear about what auditors will look at with respect to schoolwide programs.

Independent auditors (and otherwise) not using the audit compliance supplement.

State and local laws, regulations, and policies that impede implementation of schoolwide programs.

The flexibility argument for combining funds is sometimes outweighed by other aspects; i.e., perception that amounts of Federal funds to combine are too small.

State and/or district accounting systems that have not been updated to accommodate schoolwide programs.

Lack of leadership in some states and districts to support schoolwide programs.

Perception that schoolwide programs serve a useful purpose as only an administrative convenience.

RECOMMENDATIONS:

Maintain current legislation with the suggested refinements. Additionally, give schoolwide programs more visibility in ESEA legislation by including complementary provisions (beyond a cite) referencing schoolwide programs in other program legislation besides Title I (e.g., stating that the different program funds may be combined with local and state resources for the schoolwide program effort). Include in the purpose statement of the legislation a strong statement supporting schoolwide programs.

- Pro:** The legislation is sound--based on research and past schoolwide project practice--and in terms of provisions, this would better balance the entire legislation to comprehensively support comprehensive reform.
- Pro:** From initial findings, implementation-not legislation--appears to warrant additional effort.
- Pro:** Efficiency of scale is realized when many pots of money are used collectively for an overall program and purpose.
- Pro:** The placement of authority to conduct schoolwide programs will make clear that they are a strategy option for Title I schools.
- Con:** Because most of the legislative provisions are placed in Title I, the programs are viewed only as Title I-funded programs.
- Con:** Without altering more of the legislation, the risk is high that progress will remain status quo.
- Con:** Depending on one's role at an SEA or LEA (or ED), the entire law is not necessarily read and understood which is necessary when complementary provisions are placed throughout the law.

5 Issue: Should there be an accountability requirement for schoolwide programs separate from the State's accountability system linked with standards and assessments?

Status: Under Chapter 1, section 1015(e) required schoolwide project schools to meet a specific accountability requirement at the end of a three-year period in order to continue as schoolwide projects for another three-year period.

Under Title I, section 1114(c) states, "A schoolwide program under this section shall be subject to the school improvement provisions of section 1116." Therefore, schoolwide programs are currently subject to the same accountability requirements that apply to Title I targeted assistance schools, not to a separate schoolwide program requirement. The current law removed the

separate schoolwide accountability provision anticipating that schools in need of improvement would receive sufficient support to design and implement a program that would best meet the needs of the children. Therefore, rather than having a low-performing schoolwide program revert to a targeted assistance strategy, States and districts (and other outside technical assistance providers) are to help low-performing schoolwide program schools to improve their schoolwide design.

- 50% of principals in schoolwide programs reported that they utilize assessments to a great extent that are used for school accountability and continuous improvement. This compares with 38% of principals in targeted assistance schools. [Follow-up school Survey]

Obstacles to reform:

State systems of support, required under section 1117, have not been sufficiently established to carry out their role--to provide information and assistance to schoolwide programs and to assist them in providing an opportunity to all students to meet the State's student performance standards.

States that have fully established systems of support do not have the capacity--funds, time, people-- to provide full assistance to all schoolwide programs. *> with exemptions*

Many schoolwide programs are poorly designed and have little promise of producing improved student achievement. In theory, school support teams will have helped the school design a "schoolwide" plan. In reality, this is not always possible and there is no direct plan approval authority in the legislation.

State and local laws, regulations, and policies that are more restrictive than the flexibilities provided to schoolwide programs through federal legislation have impeded schools' ability to fully implement schoolwide programs.

RECOMMENDATION:

Maintain the general applicability of the Title I accountability requirements for schoolwide programs.

Pro: This will support the standards, assessment, and accountability approach established in the law while helping to ensure a schoolwide program plan is designed to better assist the lowest achieving students.

Pro: This supports a single standards, assessment, and accountability system established by the State for all schools, including those that operate schoolwide programs.

Con: Without specified targeted support for particular targeted populations, it has not been simple to demonstrate schoolwide programs are having a positive impact on the intended beneficiaries.

6 Issue: How can the legislation be improved to better ensure that schoolwide programs more specifically address the needs of special populations--e.g., LEP and special education students?

Note: By the time this law is enacted, states are to have final assessment systems in place. Therefore, **disaggregation of achievement data** by various targeted groups of children will (should) be available since it will be a requirement. [In 1997-98, 68% of principals in schoolwide programs reported that their schools' reading results are disaggregated by race/ethnicity; 54% reported that they are disaggregated by poverty; 57% reported disaggregation by LEP status; and 53% reported disaggregation by disabling condition. [Follow-up Survey]] and build in an improved process for ensuring quality schoolwide program plans.

Title I serves approximately 1.2 million (94-95 data) LEP children, most of whom are Hispanic. The second largest LEP group being served through Title I are Asians/Pacific Islanders. LEP students represented almost 1/3 of Title I participants and the number is rising.

-Information on services provided to LEP students (as well as others) in schoolwide programs is limited because disaggregation requirements have not yet kicked in. However, preliminary information from some advocacy groups indicates that services to LEP students in schoolwide programs are not necessarily meeting their needs.

Legislative Options: We are discussing with OBEMLA and OSEP if legislative language is necessary or if this is a technical assistance issue.

7 Issue: Should a maintenance of effort requirement be included for schoolwide programs?

-**Status:** Currently, there is no schoolwide program school maintenance of effort requirement. Under Chapter 1, there was a 100% maintenance of effort requirement that applied to schoolwide project schools. This requirement was included to ensure that from year to year, schoolwide projects received at least 100% of the funds they received in the previous year for providing free public education to children. There have been reports (yet no evidence) that districts are shifting some local/State funds from schoolwide program schools to other schools because the districts believe the schoolwide schools are getting enough federal resources and flexibility and other schools are not.

RECOMMENDATION:

Do not include a maintenance of effort requirement for schoolwide programs.

Pro: ED does not have evidence that schoolwide program schools are being provided less resources than nonschoolwide schools.

Pro: The comparability and supplement, not supplant provisions in Title I are designed to address this issues.

Pro: A maintenance of effort requirement for schoolwide programs would not necessarily ensure that schoolwide program schools are provided the same level of resources as other schools from year to year if the school got too few resources the prior year compared to other schools.

Con: Although no evidence has been provided to us, some State Title I Coordinators have indicated that a maintenance of effort is needed.

Issue: Should Title I targeting provisions be revised to allow LEAs to allocate more funds to schoolwide program schools if warranted by the needs assessment and schoolwide plan?

Status: Under Chapter 1, LEAs allocated Title I funds to schools based on the number and needs of educationally deprived children. This provision resulted in schoolwides receiving more funds than targeted assistance schools because all educationally deprived children in the schoolwide schools were counted. Currently, LEAs allocate Title I funds to all Title I schools on the basis of the number of poor children in the school. As a result, the funding formula treats targeted assistance schools and schoolwide program schools the same. This formula may disadvantage schoolwide programs, however, that need more funds to implement schoolwide reforms.

Legislative Option:

Allow LEAs to allocate more funds to schoolwide program schools if warranted by the needs assessment and schoolwide plan.

Pro: In order for schoolwide programs to be effective, they must have sufficient funding. Because they are reforming the whole school, they need more than targeted assistance programs.

Con: Title I alone should not be considered as the only funding source of the schoolwide program. The schoolwide program must be willing to commit other state and local resources as well in order to truly upgrade the school's program for all of its students.

[Decision was made to keep targeting as is and have this allowable through waiver.]

SCHOOLWIDE PROGRAMS AS A STRATEGY FOR REFORM

Title I schools with at least 50% poverty are eligible to conduct schoolwide programs, as authorized in section 1114 of Title I. Schoolwide programs are intended to address the educational needs of children living in impoverished communities by supporting comprehensive strategies for improving the whole school so every student, including the lowest achieving students, achieves high levels of academic proficiency.

The 1994 reauthorization of ESEA gave schools serving low-income students greater flexibility to systematically assess the whole school's educational needs and design schoolwide solutions.

- This increase in flexibility was justified based on earlier findings that Chapter 1 was operating as an add-on program that worked on the margins; that as a supplementary program, Chapter 1 had little effect on the regular program of instruction; that Chapter 1 did not contribute to high-quality instruction; and that Chapter 1 was not tied to state and local reform efforts. [See IASA Prospectus, p. Title 1-4 and 5]
- This flexibility has also resulted in a remarkable growth in schoolwide programs. In 1994-95, 5,050 Title I schools operated schoolwide programs (projects) [Chapter 1 participation report]. By 1997-98 the total grew close to approximately 16,000 of all Title I schools [Follow-up School survey (draft)].

Finally, schoolwide programs may combine most Federal education program resources with state and local resources to upgrade the effectiveness of the entire school program. Schools are not required to identify children as eligible for particular services or track the combined federal resources to particular children or services. Rather, they may use the combined resources to improve the school's educational program while meeting the intent and purposes of the programs for which funds are allocated.

Overall assumptions and questions:

Schoolwide programs for high poverty schools are viewed as the option that will best allow for comprehensive school reform and better educate children attending such schools, particularly the targeted populations for whom Federal funds are allocated. We support the notion of challenging standards for all children. We support comprehensive school reform. How can the legislation strengthen schoolwide programs as a tool for reform? Is there some lever that can be incorporated in the legislation to encourage best (better) practice?

The current legislation on schoolwide programs incorporated what was learned about effective school practice and from the evaluation on past schoolwide projects. The schoolwide components and plan reflect these lessons and are attached for reference. [See section 1114 of Title I]

Recent research supports an emphasis on schoolwide programs by demonstrating that the goal of academic success for all students requires special support that comes when resources, practices, and procedures are coordinated across an entire school. Common characteristics of effective schoolwide programs include: [all cited from Vol. 1 of the SWP Idea Book, pp. 9-11]

- Comprehensive planning, which reflects the priorities of the school community and is informed by data regarding student needs and achievement (SWP Idea Book, Vol. 1),
- Attention to specific curriculum improvement in all academic subjects, which is coupled with comprehensive planning efforts and support for instructional staff (Fashola and Slavin, 1998 and Herman and Stringfield, 1997-CRESPAR, Johns Hopkins Univ.; and Wang, Haerfel and Walberg, 1997, Mid-Atlantic Laboratory for Student Success, Temple University),
- A commitment to seeing that all students achieve at their fullest potential (Charles Dana Center/Joe Johnson, 1997), and
- Accountability and a process for continuous improvement (SWP Idea Book, Vol. 1).

The full potential for schoolwide programs to incorporate comprehensive strategies designed to support all students in reaching high standards has not been fully realized. [93% of principals report using Title I funds to improve the entire educational program in a school yet we do not yet have evidence that they are implementing the strategies for school reform, and 83% use funds to provide professional development. Schoolwide programs also use Title I funds for more traditional strategies, including: serving targeted children in a pull-out setting--51%; serve targeted children in an in-class setting--81% (same % as TAS); use Title I funds to support extended time learning--49% (Draft tabulations, Follow-up Survey of Schools--school year 1997-98)

For Legislation

INTRODUCTION TO SCHOOLWIDE PROGRAM SECTION:

FINDINGS:

1. There is a strong vision that focuses on the academic success of every student and is articulated in every aspect of the school's planning, organization, and use of resources.
2. The school uses data reflecting the needs of its students and the needs of the school's other stakeholders to drive its decisions.
3. Challenging standards that all children are expected to meet are articulated clearly and supported through aligned curriculum, staff development, and technology.
4. Staff learn from mistakes, without reprisal, and use that knowledge to experiment with

- different strategies that have a high probability of improving student performance.
5. Staff are committed to ensuring the academic success of every student. They make no excuses for low performance, but reflect upon their own efforts to find opportunities to improve.
 6. A structure is established that supports improved teaching.
 7. School personnel create an environment in which parents want to become involved in school activities.
 8. The school elicits input and assistance from everyone who may come in contact with a student, including regular and special teachers, aides, librarians, clerical staff, bus drivers, cafeteria workers, parents, and community leaders.
 9. The climate of the school simulates a "family," where students are valued individually and collectively in a safe, violence-free environment.
 10. School staff collaborate together to resolve issues in an open, honest, and trusting environment.
 11. The school uses information about the performance of its students to continually improve teaching and learning and attain even higher goals.

[Will be refined and shortened]

PURPOSE: The purpose of schoolwide programs is to enable high-poverty schools to use Title I funds, in combination with other Federal, State, and local funds, to upgrade the entire educational program in the school to create a learning environment that embodies the conditions found in successful schools.

1 Issue: Should schoolwide program eligibility be availed only to schools above a certain poverty threshold, or should all Title I schools be eligible?

RECOMMENDATION: Maintain (for now) the current schoolwide eligibility threshold at 50% poverty.

[a one-pager will list pros and cons of going 50% v. 35%]

2 Issue: Are there ways in which the legislation can be improved by building on some of the promising aspects of the Comprehensive School Reform Demonstration (CSR/D) Program legislation?

RECOMMENDATION: Along with the other recommendations in this paper, this recommendation focuses on central themes of schoolwide programs and presents key elements to comprise the body of the schoolwide program legislation.

Key Elements of Schoolwide Proposal

PLAN: Plan Requirements – 3 Parts (Data-driven Needs Assessment; Comprehensive Research-Based design; Continuous improvement)

- Within two years of the passage of the legislation, these requirements must be met by all schoolwide programs, including new schoolwide programs and those currently operating*:

I. Comprehensive Data-driven Needs Assessment: A school will conduct a comprehensive data-driven needs assessment that must be reflective of:

- Academic performance of students in relation to the state standards, including the needs of special populations in the school such as children with limited English proficiency and children with disabilities; and
- First graders' reading skills as assessed through a diagnostic evaluation.
- Mobility of population
- Attendance
- Dropout rate
- Drug use and violence

The needs assessment may also review factors such as:

- Class size
- Staff quality
- Classroom and school management
- Technology
- Parent and community involvement
- Availability of resources

II. Comprehensive, Research-Based Design With Aligned Components

- The plan must have a comprehensive design, based on the results of the school's comprehensive data-driven needs assessment, to improve teaching and learning throughout the school including, but not limited to, curriculum, instruction, assessment, classroom management, continuous professional development, parental involvement, technology and school management.
- The elements of the program must be aligned into a schoolwide reform plan designed to enable each student in the school -- including students from low-income families, students with limited English proficiency, and students with disabilities -- to meet challenging State content and student performance standards.
- The plan must:
 1. Use effective, research-based, methods and strategies, based on data-driven needs assessment, aligned with challenging state standards.
 2. Strengthen the core academic program in the school, and may include high quality extended learning opportunities beyond the regular school day or year.
 3. Address the transition of students to and from the gradespan the schoolwide

program serves.

- The design for each plan shall include:

Effective, research-based methods and strategies: The plan must describe how the schoolwide program employs methods for student learning, teaching, and school management that are based on reliable research and effective practices and are appropriate for the grade span served.

Instruction by highly qualified professional staff: The plan must demonstrate that the school will employ professional staff that are most qualified to teach the skills and subjects required for all students, particularly low-achieving students, to meet the state's standards. The plan will also describe how the school will, by two years from the effective date of the legislation, employ only certified teachers to provide the entire direct instructional program to all students in the school.

Professional development: The plan must describe the high-quality and continuous staff development and training, including leadership training for the principal. Such professional development will be aligned with the needs of the school determined through the needs assessment.

School support: The plan provides evidence that the schoolwide program has the informed support of the principal, school faculty, and other administrators.

Parent and community involvement: The plan must describe the meaningful involvement of all groups of parents and the local community in the planning and implementation of the schoolwide program activities. The plan must also describe how the school disseminates the plan to all parents attending the school, including parents of new students.

Ongoing external assistance: The plan must describe how the school, in the development and implementation of its plan, will utilize ongoing high-quality external support and assistance from educators or educational organizations with experience in and knowledge about research and practice on teaching and learning and schoolwide improvement, which may include institutions of higher education, regional educational laboratories or research centers, and outside consultant groups.

Use of resources: The plan must describe how all significant resources available to the school (local, State, Federal, and private, if applicable) will be used to support and sustain the school's comprehensive improvement effort.

III. Continuous Improvement:

The plan must include measurable goals and benchmarks that include timelines against which progress will be measured in the annual review under (1116) in order to continually improve the program design and its implementation.

IV. State Approval and Peer Review

For schools that have been identified as in need of improvement:

1. Each schoolwide plan must be peer reviewed by a (advisory) panel of persons who are external to the school including persons independent of the LEA or SEA but may include persons from the LEA or SEA, and who are knowledgeable about school reform and successful schoolwide programs, including strategies for working with low-achieving students and the different types of students to be served by the program. It is expected that the peer review would be distinctly separate from the ongoing technical assistance that a school should receive.
2. Schoolwide program plans must be approved by the SEA. The SEA will review schoolwide program plans for approval, taking into account feedback from the peer review and after schools have had an opportunity to make any necessary adjustments suggested by the peer review.

STATE ROLE: To prepare schools for becoming effective schoolwide programs, the state will:

Disseminate to all Title I schools information explaining schoolwide programs.

Assist schools with conducting and using a data-driven needs assessment.

Disseminate to current and new schoolwide program schools information and research on effective practices and improving high-poverty and low-performing schools.

For schoolwide program schools identified as in need of improvement, establish procedures for the peer review process and carry out a schoolwide program plan approval process. The SEA may include all schoolwide programs in this 2-step process.

Provide sustained intervention for schoolwide programs most in need of improvement consistent with the accountability section in the law.

DISTRICT ROLE:

The schoolwide program plan must be developed with the LEA.

To prepare schools for becoming effective schoolwide programs, for all schoolwide eligible schools, the district shall:

Provide information and research on effective strategies for strengthening entire schools (including rigorous curriculum and instructional and organizational practices);

Assist schools with matching research-based school reform strategies with the specific identified needs of the school (based on school and student achievement and other data), and with state standards and district goals and objectives;

Assist schools in identifying and securing appropriate, high-quality external assistance;

Support schools in allocating and using financial, personnel, and other resources available to the schoolwide program school that will enable the school to successfully implement the schoolwide plan.

Assist schools in carrying out ongoing evaluation and continuous improvement of schoolwide plans for raising student achievement.

2a Issue: What incentives and assistance will be provided to schoolwide program schools to fully address the new, more rigorous requirements proposed for schoolwides.?

RECOMMENDATION: As a companion to the new schoolwide requirements, establish a **Comprehensive School Reform Challenge Fund** that will assist up to 10,000 schools over 5 years to initiate research-based comprehensive reform efforts. The fund would be the successor to the existing Comprehensive School Reform Demonstration Program (CSRDP). Like CSRDP, the Fund will provide an extra incentive and start-up assistance to schools that need to raise achievement and that commit to implementing genuinely high-quality, comprehensive schoolwide reform programs based on evidence of effectiveness.

Rationale: This paper proposes changes in the requirements for all schoolwide programs that reflect the more rigorous requirements of CSRDP. Further incentives and support should be provided, however:

- Based on anecdotal reports from States and local school officials, the \$50,000+ per school award (per year, for up to three years) in the existing CSRDP legislation appears to be serving as a surprisingly potent inducement for many districts and schools to take a fresh, methodical look at research-based, comprehensive school reform – and at what they are doing with the resources they already receive. In fact, some states are finding the approach so useful that they are developing state school improvement programs or awarding Goals 2000 funds using the CSRDP criteria. Relative to the existing level of Federal investment in schoolwide programs, the leveraging impact of this additional \$50,000+ per year is a bargain, and; given its success to date, should be continued in some fashion in the reauthorization.
- Many schools will accept the new, more rigorous schoolwide requirements simply in order to retain (or obtain, for the first time) enhanced flexibility in use of funds at the

building level. However, many other schools will need an extra to fully embrace the more stringent provisions. The Comprehensive School Reform Challenge Fund would hold out the promise of extra help for those that need it and develop the most rigorous proposals for improvement.

- RAND research indicates that, while the costs of designs vary considerably, "assuming effective resource allocation, the addition of \$50,000 in Obey-Porter funds will allow most Title I schools to implement comprehensive reform without needing additional resources." Consistent with other objectives, we should continue to provide supplemental funding to assist schools with start-up costs.
- Given the Department's overall emphasis on encouraging comprehensive reform based on evidence of effectiveness, it is important to include a funding initiative that devotes substantial resources to this strategy.

Method of Distribution: Selection Criteria

As with CSRD, Comprehensive School Reform Challenge funds would be provided to states on a formula basis, with subgrants awarded by the State, in a competitive process. Awards would go to districts on behalf of specific schools proposing to implement specific comprehensive reform programs.

A critical feature of this initiative is that funds would be provided competitively, rather than to all schoolwide programs. This feature is necessary in order to motivate schools and their districts to do a rigorous job in developing their reform proposal for strengthening the entire school and for using other resources available to the school. The funds should not be viewed as an entitlement, or as a part of the base funding available to the school.

Competitive awards would be made by the State following a peer review process. Selections would be made based on the quality and coherence of the school's reform proposal, as related to the new criteria for all schoolwide programs, together with:

- The school's need for reform (focusing on student achievement in core subjects under the state's assessment/accountability system).
- Evidence of the district's commitment to provide ongoing support for comprehensive reform.
- Preference for schools that propose to work together to implement the same or similar reform efforts.

Amount of Funding, Allowable Uses

Schools (or consortia of very small schools) would receive a minimum of \$50,000 per year, up to a total of \$100,000 per year, renewable for up to three years if the school is making substantial progress in implementing its reform effort, based on implementation benchmarks described in the school's reform plan and agreed to by the State.

Schools would be allowed to use funds for the initial implementation of a comprehensive reform program, including reform programs that the school has begun to implement within the academic year that the award is made. The state and district may not reduce their commitment of funds to support the school's reform effort as a result of the school's award.

Structure: Eligibility and Distribution of Awards:

Although eligibility would differ somewhat, as under the existing CSR program, there would be two distinct pots of funding.

Part A of the program would be authorized under Title I, with eligibility limited to schools that are eligible to be schoolwide programs under Title I, and that have been approved by the state to operate as schoolwides. (Schools below 50% poverty that are operating as schoolwide programs under a waiver are not eligible for Part A, but would be eligible for part B).

Part B of the program would be established under the reauthorization proposal's new reform and innovation authority or teacher quality authority. The funds under part B would be open to other Title I eligible and non-Title I schools, in order to encourage a wider range of schools to undertake entire-school reform.

The basic requirements and selection process and criteria would be the same for both Part A and Part B.

[Note: OLCA has raised concerns about structuring eligibility for this program differently from the structure under Obey-Porter – i.e., concern about limiting Part A to schoolwides, rather than Title I eligible schools. We should discuss further].

As with current provisions for CSR, LEAs (or consortia of LEAs) would apply on behalf of individual schools or consortia of schools. For a consortia involving multiple very small schools, the \$50,000 minimum would apply to the consortium so long as it serves no more than 500 students.

Additional Support for Comprehensive School Reform

The **Comprehensive School Reform Challenge Fund** will include a national leadership section, providing funding for such activities as ongoing research and development to address the need for more and better entire-school models to serve the needs of all grade levels and student populations, for broadly disseminating information on key concepts and research with respect to

research-based, comprehensive school reform, and provide support for state and local networks around comprehensive school reform. National leadership funds could be placed in Title I or in the research and innovation portion of the reauthorization proposal.

The **Comprehensive School Reform Challenge Fund** would also include a national competition for 10-20 school districts or consortia of school districts with substantial numbers/percentages of low-achieving students that want to assist their entire district, or large clusters of schools within the district, to implement research-based school reform programs. This competition would provide models of the district leadership role in helping move comprehensive reform beyond "victory gardens" to more systemic improvements in local school systems. Funds could be used both for district level activities, such as holding forums on data-based needs analysis and research-based school reform models or developing district staff capacity to support building level improvement efforts in selected models. Funds could also be used to support building level initial implementation of comprehensive improvements. Selection criteria would include district need for reform and quality of the district's proposal, including evidence of the depth and scope of the district's commitment to use available resources to expand and sustain research-based, comprehensive school reform within the district. The Secretary would ensure that selections include urban and rural school districts and a geographic representation within the U.S. Authority could be placed in the Title I or research and innovation portion of the proposal.

Comprehensive School Reform Demonstration Program Authority and Evaluation

The legislation will authorize the completion of all previously funded programs under the Comprehensive School Reform Demonstration Program, and the extension of the national evaluation of CSRD for an additional two years.

RECOMMENDATION: General Incentive Authority in Part A of Title I

As a more general incentive authority, States would reserve .5% of the Title I, Part A allocation to be used as incentives for those schoolwide program schools that have demonstrated sustained improvement resulting from the implementation of the schoolwide program plan. The State would establish procedures for distributing such incentives. [Q: Should this apply to TAS as well?—seems fairer if the reservation comes from a State's or LEA's whole allocation.]

Issue: How should the ESEA legislation put more emphasis on encouraging LEA personnel and/or schoolwide programs to combine most of the Federal education program resources administered by ED with their local and State resources for the purpose of more effectively educating all students through a comprehensive design?

RECOMMENDATIONS:

Maintain current legislation with the suggested refinements. Additionally, give schoolwide programs more visibility in ESEA legislation by including complementary provisions (beyond a

cite) referencing schoolwide programs in other program legislation besides Title I (e.g., stating that the different program funds may be combined with local and state resources for the schoolwide program effort). Include in the purpose statement of the legislation a strong statement supporting schoolwide programs.

4 Issue: Should there be an accountability requirement for schoolwide programs separate from the State's accountability system linked with standards and assessments?

RECOMMENDATION:

Maintain the general applicability of the Title I accountability requirements for schoolwide programs.

5 Issue: How can the legislation be improved to better ensure that schoolwide programs more specifically address the needs of special populations--e.g., LEP and special education students?

Note: By the time this law is enacted, states are to have final assessment systems in place. Therefore, disaggregation of achievement data by various targeted groups of children will (should) be available since it will be a requirement. [In 1997-98, 68% of principals in schoolwide programs reported that their schools' reading results are disaggregated by race/ethnicity; 54% reported that they are disaggregated by poverty; 57% reported disaggregation by LEP status; and 53% reported disaggregation by disabling condition. [Follow-up Survey]] and build in an improved process for ensuring quality schoolwide program plans.

Title I serves approximately 1.2 million (94-95 data) LEP children, most of whom are Hispanic. The second largest LEP group being served through Title I are Asians/Pacific Islanders. LEP students represented almost 1/3 of Title I participants and the number is rising.

Information on services provided to LEP students (as well as others) in schoolwide programs is limited because disaggregation requirements have not yet kicked in. However, preliminary information from some advocacy groups indicates that services to LEP students in schoolwide programs are not necessarily meeting their needs.

Legislative Options: We are determining whether legislative language is necessary or if this is a technical assistance issue.

6 Issue: Should a maintenance of effort requirement be included for schoolwide programs?

RECOMMENDATION:

Do not include a maintenance of effort requirement for schoolwide programs.

7 Issue: Should Title I targeting provisions be revised to allow LEAs to allocate more funds to schoolwide program schools if warranted by the needs assessment and schoolwide plan?

RECOMMENDATION: Keep targeting as is and have this allowable through waiver.

children in a participating school attendance area of such agency.

"(C)(i) elect not to serve an eligible school attendance area or eligible school that has a higher percentage of children from low-income families if—

"(I) the school meets the comparability requirements of section 1120A(c);

"(II) the school is receiving supplemental funds from other State or local sources that are spent according to the requirements of section 1114 or 1115; and

"(III) the funds expended from such other sources equal or exceed the amount that would be provided under this part.

"(2) SPECIAL RULE.—Notwithstanding paragraph (1)(C), the number of children attending private elementary and secondary schools who are to receive services, and the assistance such children are to receive under this part, shall be determined without regard to whether the public school attendance area in which such children reside is assisted under paragraph (1).

"(c) ALLOCATIONS.—

"(1) IN GENERAL.—A local educational agency shall allocate funds received under this part to eligible school attendance areas or eligible schools, identified under subsection (a) or (b), in rank order, on the basis of the total number of children from low-income families in each area or school.

"(2) SPECIAL RULE.—(A) Except as provided in subparagraph (B), the per pupil amount of funds allocated to each school attendance area or school under paragraph (1) shall be at least 125 percent of the per pupil amount of funds a local educational agency received for that year under the poverty criteria described by the local educational agency in the plan submitted under section 1112, except that this paragraph shall not apply to a local educational agency that only serves schools in which the percentage of such children is 35 percent or greater.

"(B) A local educational agency may reduce the amount of funds allocated under subparagraph (A) for a school attendance area or school by the amount of any supplemental State and local funds expended in that school attendance area or school for programs that meet the requirements of section 1114 or 1115.

"(3) RESERVATION.—A local educational agency shall reserve such funds as are necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve—

"(A) where appropriate, eligible homeless children who do not attend participating schools, including providing educationally related support services to children in shelters;

"(B) children in local institutions for neglected or delinquent children; and

"(C) where appropriate, neglected and delinquent children in community day school programs.

*SEC. 1114. SCHOOLWIDE PROGRAMS.

"(a) USE OF FUNDS FOR SCHOOLWIDE PROGRAMS—

"(1) IN GENERAL.—A local educational agency may use funds under this part, in combination with other Federal, State, and local funds, in order to upgrade the entire educational program in a school described in subparagraph (A) or (B) if, for the initial year of the schoolwide program, the school meets either of the following criteria:

"(A) For the school year 1995-1996—

"(i) the school serves an eligible school attendance area in which not less than 60 percent of the children are from low-income families; or

"(ii) not less than 60 percent of the children enrolled in the school are from such families.

"(B) For the school year 1996-1997 and subsequent years—

"(i) the school serves an eligible school attendance area in which not less than 50 percent of the children are from low-income families; or

"(ii) not less than 50 percent of the children enrolled in the school are from such families.

"(2) STATE ASSURANCES.—(A) A local educational agency may start new schoolwide programs under this section only after the State educational agency provides written information to each local educational agency in the State that demonstrates that such State agency has established the statewide system of support and improvement required by subsections (c)(1) and (e) of section 1117.

"(B) A school that desires to initiate a schoolwide program under this section prior to the establishment of the statewide system of support and improvement required in subsections (c)(1) and (e) of section 1117 shall demonstrate to the local educational agency that such school has received high quality technical assistance and support from other providers of assistance such as comprehensive technical assistance centers, regional laboratories, institutions of higher education, educational service agencies, or other local consortia.

"(3) IDENTIFICATION.—(A) No school participating in a schoolwide program shall be required to identify particular children under this part as eligible to participate in a schoolwide program or to provide supplemental services to such children.

"(B) A school participating in a schoolwide program shall use funds available to carry out this section only to supplement the amount of funds that would, in the absence of funds under this part, be made available from non-Federal sources for the school, including funds needed to provide services that are required by law for children with disabilities and children with limited English proficiency.

"(4) SPECIAL RULE.—(A) Except as provided in subsection (b), the Secretary may, through publication of a notice in the Federal Register, exempt schoolwide programs under this section from statutory or regulatory provisions of any other non-competitive, formula grant program administered by the Secretary, or any discretionary grant program administered by the Secretary, other than formula or discretionary grant programs

under the Individuals with Disabilities Education Act), to support schoolwide programs, if the intent and purposes of such other programs are met.

"(B) A school that chooses to use funds from such other programs shall not be relieved of the requirements relating to health, safety, civil rights, gender equity, student and parental participation and involvement, services to private school children, maintenance of effort, comparability of services, uses of Federal funds to supplement, not supplant non-Federal funds, or the distribution of funds to State or local educational agencies that apply to the receipt of funds from such programs.

"(5) PROFESSIONAL DEVELOPMENT.—Each school receiving funds under this part for any fiscal year shall devote sufficient resources to effectively carry out the activities described in subsection (b)(1)(D) in accordance with section 1119 for such fiscal year, except that a school may enter into a consortium with another school to carry out such activities.

"(b) COMPONENTS OF A SCHOOLWIDE PROGRAM.—

"(1) IN GENERAL.—A schoolwide program shall include the following components:

"(A) A comprehensive needs assessment of the entire school that is based on information on the performance of children in relation to the State content standards and the State student performance standards described in section 1111(b)(1).

"(B) Schoolwide reform strategies that—

"(i) provide opportunities for all children to meet the State's proficient and advanced levels of student performance described in section 1111(b)(1)(D);

"(ii) are based on effective means of improving the achievement of children;

"(iii) use effective instructional strategies, which may include the integration of vocational and academic learning (including applied learning and team teaching strategies), that—

"(I) increase the amount and quality of learning time, such as providing an extended school year and before- and after-school and summer programs and opportunities, and help provide an enriched and accelerated curriculum; and

"(II) include strategies for meeting the educational needs of historically underserved populations, including girls and women;

"(iv) address the needs of all children in the school, but particularly the needs of children who are members of the target population of any program that is included in the schoolwide program, which may include—

"(aa) counseling, pupil services, and mentoring services;

"(bb) college and career awareness and preparation, such as college and career guidance, comprehensive career development, occupational information

occupational skills, personal finance education, job placement services, and innovative teaching methods which may include applied learning and team teaching strategies;

"(cc) services to prepare students for the transition from school to work, including the formation of partnerships between elementary, middle, and secondary schools and local businesses, and the integration of school-based and work-based learning; and

"(dd) incorporation of gender-equitable methods and practices; and

"(ii) address how the school will determine if such needs have been met; and

"(vii) are consistent with, and are designed to implement, the State and local improvement plans, if any, approved under title III of the Goals 2000: Educate America Act.

"(C) Instruction by highly qualified professional staff.

"(D) In accordance with section 1119 and subsection (a)(5), professional development for teachers and aides, principals, and other staff to enable all children in the school to meet the State's student performance standards.

"(E) Strategies to increase parental involvement, such as family literacy services.

"(F) Plans for assisting preschool children in the transition from early childhood programs, such as Head Start, Even Start, or a State-run preschool program, to local elementary school programs.

"(G) Measures to include teachers in the decisions regarding the use of assessments described in section 1112(b)(1) in order to provide information on, and to improve, the performance of individual students and the overall instructional program.

"(H) Activities to ensure that students who experience difficulty mastering any of the standards required by section 1111(b) during the course of the school year shall be provided with effective, timely additional assistance, which shall include—

"(i) measures to ensure that students' difficulties are identified on a timely basis and to provide sufficient information on which to base effective assistance;

"(ii) to the extent the school determines feasible using funds under this part, periodic training for teachers in how to identify such difficulties and to provide assistance to individual students; and

"(iii) for any student who has not met such standards, teacher-parent conferences, at which time the teacher and parents shall discuss—

"(I) what the school will do to help the student meet such standards;

"(II) what the parents can do to help the stu-

(III) additional assistance which may be available to the student at the school or elsewhere in the community.

(2) PLAN.—(A) Any eligible school that desires to operate a schoolwide program shall first develop (or amend a plan for such a program that was in existence before the date of enactment of the Improving America's Schools Act of 1994), in consultation with the local educational agency and its school support team or other technical assistance provider under subsections (c)(1) and (e) of section 1117, a comprehensive plan for reforming the total instructional program in the school that—

(i) incorporates the components described in paragraph (1);

(ii) describes how the school will use resources under this part and from other sources to implement those components;

(iii) includes a list of State and local educational agency programs and other Federal programs under subsection (a)(4) that will be included in the schoolwide program;

(iv) describes how the school will provide individual student assessment results, including an interpretation of those results, to the parents of a child who participates in the assessment required by section 1111(b)(3);

(v) provides for the collection of data on the achievement and assessment results of students disaggregated by gender, major ethnic or racial groups, limited English proficiency status, migrant students, and by children with disabilities as compared to other students, and by economically disadvantaged students as compared to students who are not economically disadvantaged;

(vi) seeks to produce statistically sound results for each category for which assessment results are disaggregated through the use of oversampling or other means; and

(vii) provides for the public reporting of disaggregated data only when such reporting is statistically sound.

(B) Plans developed before a State has adopted standards and a set of assessments that meet the criteria in paragraphs (1) and (3) of section 1111(b) shall be based on an analysis of available data on the achievement of students in the school and effective instructional and school improvement practices.

(C) The comprehensive plan shall be—

(i) developed during a one-year period, unless—

(I) the local educational agency, after considering the recommendation of the technical assistance providers under subsections (c) and (e) of section 1117, determines that less time is needed to develop and implement the schoolwide program; or

(II) the school is operating a schoolwide program on the day preceding the date of enactment of the Improving America's Schools Act of 1994, in which

shall develop a new plan during the first year of assistance under such Act to reflect the provisions of this section;

(ii) developed with the involvement of the community to be served and individuals who will carry out such plan, including teachers, principals, other staff, and, where appropriate, pupil services personnel, and parents, and, if the plan relates to a secondary school, students from such school;

(iii) in effect for the duration of the school's participation under this part and reviewed and revised, as necessary, by the school;

(iv) available to the local educational agency, parents, and the public, and the information contained in such plan shall be translated, to the extent feasible, into any language that a significant percentage of the parents of participating children in the school speak as their primary language, and

(v) where appropriate, developed in coordination with programs under the School-to-Work Opportunities Act of 1994, the Carl D. Perkins Vocational and Applied Technology Education Act, and the National and Community Service Act of 1990.

(c) ACCOUNTABILITY.—A schoolwide program under this section shall be subject to the school improvement provisions of section 1116.

SEC. 1115. TARGETED ASSISTANCE SCHOOLS.

(a) IN GENERAL.—In all schools selected to receive funds under section 1113(c) that are ineligible for a schoolwide program under section 1114, or that choose not to operate such a schoolwide program, a local educational agency may use funds received under this part only for programs that provide services to eligible children under subsection (b) identified as having the greatest need for special assistance.

(b) ELIGIBLE CHILDREN.—

(1) ELIGIBLE POPULATION.—(A) The eligible population for services under this part is—

(i) children not older than age 21 who are entitled to a free public education through grade 12; and

(ii) children who are not yet at a grade level where the local educational agency provides a free public education, yet are of an age at which such children can benefit from an organized instructional program provided in a school or other educational setting.

(B) From the population described in subparagraph (A), eligible children are children identified by the school as failing, or most at risk of failing, to meet the State's challenging student performance standards on the basis of multiple, educationally related, objective criteria established by the local educational agency and supplemented by the school, except that children from preschool through grade two shall be selected solely on the basis of such criteria as teacher judgment, inter-

***Public Law 105-277**
105th Congress

An Act

Making omnibus consolidated and emergency appropriations for the fiscal year ending September 30, 1999, and for other purposes.

Oct. 21, 1998
[H.R. 4328]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Omnibus
Consolidated and
Emergency
Supplemental
Appropriations
Act, 1999.

DIVISION A—OMNIBUS CONSOLIDATED APPROPRIATIONS

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 1999, and for other purposes, namely:
~~Sec. 101. (a) For programs, projects or activities in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:~~

AN ACT Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes.

Agriculture,
Rural
Development,
Food and Drug
Administration,
and Related
Agencies
Appropriations
Act, 1999.

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed \$75,000 for employment under 5 U.S.C. 3109, \$2,836,000: *Provided*, That not to exceed \$11,000 of this amount, along with any unobligated balances of representation funds in the Foreign Agricultural Service, shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104-127: *Provided further*, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104-127.

*Note: This is a typeset print of the original hand enrollment as signed by the President on October 21, 1998. The text is printed without corrections.

(2) otherwise achieve the purpose of providing relief to persons who are injured as a result of an official action of a tribal government.

SEC. 705. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of the Interior such sums as may be necessary to carry out this title.

This Act may be cited as the "Department of the Interior and Related Agencies Appropriations Act, 1999"

(1) For programs, projects or activities in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1999, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1999. Department of Labor Appropriations Act, 1999.

AN ACT Making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 1999, and for other purposes.

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING RESCISSION)

For necessary expenses of the Job Training Partnership Act, as amended, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Job Training Partnership Act; the Stewart B. McKinney Homeless Assistance Act; the Women in Apprenticeship and Nontraditional Occupations Act; the National Skill Standards Act of 1994; section 166(j) of the Workforce Investment Act of 1998; and the School-to-Work Opportunities Act; \$5,272,324,000 plus reimbursements, of which \$3,740,287,000 is available for obligation for the period July 1, 1999 through June 30, 2000; of which \$1,250,965,000 is available for obligation for the period April 1, 1999 through June 30, 2000, including \$250,000,000 for activities authorized by section 127(b)(1) of the Workforce Investment Act; of which \$152,072,000 is available for the period July 1, 1999 through June 30, 2002, including \$1,500,000 under authority of part B of title III of the Job Training Partnership Act for use by The Organizing Committee for The 2001 Special Olympics World Winter Games in Alaska to promote employment opportunities for individuals with mental disabilities, and \$150,572,000 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers; and of which \$125,000,000 shall be available from July 1, 1999 through September 30, 2000, for carrying out activities of the School-to-Work Opportunities Act: Provided, That funds made available under this heading to carry out the Job Training Partnership Act may be used for transition to, and implementation of, the provisions of the Workforce Investment Act of 1998: Provided further, That \$57,815,000 shall be for carrying out section 401 of the Job Training Partnership Act, \$71,517,000 shall be for carrying out section 402 of such Act, \$7,300,000 shall be for carrying out section 441 of such Act, \$9,000,000 shall be

50 USC 2351
note.

(d) LIMITATION ON COMMISSION EXPENDITURES.—Section 717 of that Act is amended by striking out “shall be paid” and inserting in lieu thereof “shall not exceed \$1,000,000, and shall be paid”.

SEC. 709. PROTECTION OF DIVORCED SPOUSES. (a) IN GENERAL.—Section 6(c) of the Railroad Retirement Act of 1974 (45 U.S.C. 231(c)) is amended—

(1) in the last sentence of paragraph (1), by inserting “(other than to a survivor in the circumstances described in paragraph (3))” after “no further benefits shall be paid”; and

(2) by adding at the end the following:

“(3) Notwithstanding the last sentence of paragraph (1), benefits shall be paid to a survivor who—

“(A) is a divorced wife; and

“(B) through administrative error received benefits otherwise precluded by the making of a lump sum payment under this section to a widow;

if that divorced wife makes an election to repay to the Board the lump sum payment. The Board may withhold up to 10 percent of each benefit amount paid after the date of the enactment of this paragraph toward such reimbursement. The Board may waive such repayment to the extent the Board determines it would cause an unjust financial hardship for the beneficiary.”.

45 USC 231e
note.

(b) APPLICATION OF AMENDMENT.—The amendment made by this section shall apply with respect to any benefits paid before the date of enactment of this Act as well as to benefits payable on or after the date of the enactment of this Act.

42 USC 1396a
note.

SEC. 710. For purposes of payments to States for medical assistance under title XIX of the Social Security Act from amounts appropriated to carry out such title for fiscal year 1999 and for any subsequent fiscal year, individuals who are PACE program eligible individuals under section 1934 of that Act and who meet the income and resource eligibility requirements of individuals who are eligible for medical assistance under section 1902(a)(10)(A)(ii)(VI) of that Act shall be treated as individuals described in such section 1902(a)(10)(A)(ii)(VI) during the period of their enrollment in the PACE program.

TITLE VIII—READING EXCELLENCE ACT

SUBTITLE I—READING AND LITERACY GRANTS

SEC. 101. AMENDMENT TO ESEA FOR READING AND LITERACY GRANTS.

(a) IN GENERAL.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

(1) by redesignating parts C and D as parts D and E, respectively; and

(2) by inserting after part B the following:

“PART C—READING AND LITERACY GRANTS

20 USC 6661.

“SEC. 2251. PURPOSES.

“The purposes of this part are as follows:

“(1) To provide children with the readiness skills they need to learn to read once they enter school.

“(2) To teach every child to read in the child’s early childhood years—

"(A) as soon as the child is ready to read; or

"(B) as soon as possible once the child enters school, but not later than 3d grade.

"(3) To improve the reading skills of students, and the instructional practices for current teachers (and, as appropriate, other instructional staff) who teach reading, through the use of findings from scientifically based reading research, including findings relating to phonemic awareness, systematic phonics, fluency, and reading comprehension.

"(4) To expand the number of high-quality family literacy programs.

"(5) To provide early literacy intervention to children who are experiencing reading difficulties in order to reduce the number of children who are incorrectly identified as a child with a disability and inappropriately referred to special education.

"SEC. 2252. DEFINITIONS.

20 USC 6661a.

"For purposes of this part:

"(1) **ELIGIBLE PROFESSIONAL DEVELOPMENT PROVIDER.**—The term 'eligible professional development provider' means a provider of professional development in reading instruction to teachers that is based on scientifically based reading research.

"(2) **FAMILY LITERACY SERVICES.**—The term 'family literacy services' means services provided to participants on a voluntary basis that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrate all of the following activities:

"(A) Interactive literacy activities between parents and their children.

"(B) Training for parents regarding how to be the primary teacher for their children and full partners in the education of their children.

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

"(D) An age-appropriate education to prepare children for success in school and life experiences.

"(3) **INSTRUCTIONAL STAFF.**—The term 'instructional staff'—

"(A) means individuals who have responsibility for teaching children to read; and

"(B) includes principals, teachers, supervisors of instruction, librarians, library school media specialists, teachers of academic subjects other than reading, and other individuals who have responsibility for assisting children to learn to read.

"(4) **READING.**—The term 'reading' means a complex system of deriving meaning from print that requires all of the following:

"(A) The skills and knowledge to understand how phonemes, or speech sounds, are connected to print.

"(B) The ability to decode unfamiliar words.

"(C) The ability to read fluently.

"(D) Sufficient background information and vocabulary to foster reading comprehension.

"(E) The development of appropriate active strategies to construct meaning from print.

"(F) The development and maintenance of a motivation to read.

“(5) SCIENTIFICALLY BASED READING RESEARCH.—The term ‘scientifically based reading research’—

“(A) means the application of rigorous, systematic, and objective procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading difficulties; and

“(B) shall include research that—

“(i) employs systematic, empirical methods that draw on observation or experiment;

“(ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;

“(iii) relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations; and

“(iv) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

20 USC 6661b.

“SEC. 2253. READING AND LITERACY GRANTS TO STATE EDUCATIONAL AGENCIES.

“(a) PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—Subject to the provisions of this part, the Secretary shall award grants to State educational agencies to carry out the reading and literacy activities authorized under this section and sections 2254 through 2256.

“(2) LIMITATIONS.—

“(A) SINGLE GRANT PER STATE.—A State educational agency may not receive more than one grant under paragraph (1).

“(B) 3-YEAR TERM.—A State educational agency that receives a grant under paragraph (1) may expend the funds provided under the grant only during the 3-year period beginning on the date on which the grant is made.

“(b) APPLICATION.—

“(1) IN GENERAL.—A State educational agency that desires to receive a grant under this part shall submit an application to the Secretary at such time and in such form as the Secretary may require. The application shall contain the information described in paragraph (2).

“(2) CONTENTS.—An application under this subsection shall contain the following:

“(A) An assurance that the Governor of the State, in consultation with the State educational agency, has established a reading and literacy partnership described in subsection (d), and a description of how such partnership—

“(i) assisted in the development of the State plan;

“(ii) will be involved in advising on the selection of subgrantees under sections 2255 and 2256; and

“(iii) will assist in the oversight and evaluation of such subgrantees.

“(B) A description of the following:

“(i) How the State educational agency will ensure that professional development activities related to reading instruction and provided under this part are—

“(I) coordinated with other State and local level funds and used effectively to improve instructional practices for reading; and

“(II) based on scientifically based reading research.

“(ii) How the activities assisted under this part will address the needs of teachers and other instructional staff, and will effectively teach students to read, in schools receiving assistance under section 2255 and 2256.

“(iii) The extent to which the activities will prepare teachers in all the major components of reading instruction (including phonemic awareness, systematic phonics, fluency, and reading comprehension).

“(iv) How the State educational agency will use technology to enhance reading and literacy professional development activities for teachers, as appropriate.

“(v) How parents can participate in literacy-related activities assisted under this part to enhance their children’s reading.

“(vi) How subgrants made by the State educational agency under sections 2255 and 2256 will meet the requirements of this part, including how the State educational agency will ensure that subgrantees will use practices based on scientifically based reading research.

“(vii) How the State educational agency will, to the extent practicable, make grants to subgrantees in both rural and urban areas.

“(viii) The process that the State used to establish the reading and literacy partnership described in subsection (d).

“(C) An assurance that each local educational agency to which the State educational agency makes a subgrant—

“(i) will provide professional development for the classroom teacher and other appropriate instructional staff on the teaching of reading based on scientifically based reading research;

“(ii) will provide family literacy services based on programs such as the Even Start family literacy model authorized under part B of title I, to enable parents to be their child’s first and most important teacher;

“(iii) will carry out programs to assist those kindergarten students who are not ready for the transition to first grade, particularly students experiencing difficulty with reading skills; and

“(iv) will use supervised individuals (including tutors), who have been appropriately trained using scientifically based reading research, to provide additional support, before school, after school, on weekends, during noninstructional periods of the school day, or during the summer, for children preparing to enter kindergarten and students in kindergarten through grade 3 who are experiencing difficulty reading.

“(D) An assurance that instruction in reading will be provided to children with reading difficulties who—

"(i) are at risk of being referred to special education based on these difficulties; or

"(ii) have been evaluated under section 614 of the Individuals with Disabilities Education Act but, in accordance with section 614(b)(5) of such Act, have not been identified as being a child with a disability (as defined in section 602 of the such Act).

"(E) A description of how the State educational agency—

"(i) will build on, and promote coordination among, literacy programs in the State (including federally funded programs such as the Adult Education and Family Literacy Act and the Individuals with Disabilities Education Act), in order to increase the effectiveness of the programs in improving reading for adults and children and to avoid duplication of the efforts of the programs;

"(ii) will promote reading and library programs that provide access to engaging reading material;

"(iii) will make local educational agencies described in sections 2255(a)(1) and 2256(a)(1) aware of the availability of subgrants under sections 2255 and 2256; and

"(iv) will assess and evaluate, on a regular basis, local educational agency activities assisted under this part, with respect to whether they have been effective in achieving the purposes of this part.

"(F) A description of the evaluation instrument the State educational agency will use for purposes of the assessments and evaluations under subparagraph (E)(iv).

"(c) APPROVAL OF APPLICATIONS.—

"(1) IN GENERAL.—The Secretary shall approve an application of a State educational agency under this section only—

"(A) if such application meets the requirement of this section; and

"(B) after taking into account the extent to which the application furthers the purposes of this part and the overall quality of the application.

"(2) PEER REVIEW.—

"(A) IN GENERAL.—The Secretary, in consultation with the National Institute for Literacy, shall convene a panel to evaluate applications under this section. At a minimum, the panel shall include—

"(i) representatives of the National Institute for Literacy, the National Research Council of the National Academy of Sciences, and the National Institute of Child Health and Human Development;

"(ii) 3 individuals selected by the Secretary;

"(iii) 3 individuals selected by the National Institute for Literacy;

"(iv) 3 individuals selected by the National Research Council of the National Academy of Sciences; and

"(v) 3 individuals selected by the National Institute of Child Health and Human Development.

"(B) EXPERTS.—The panel shall include experts who are competent, by virtue of their training, expertise, or

experience, to evaluate applications under this section, and experts who provide professional development to teachers of reading to children and adults, and experts who provide professional development to other instructional staff, based on scientifically based reading research.

"(C) PRIORITY.—The panel shall recommend grant applications from State educational agencies under this section to the Secretary for funding or for disapproval. In making such recommendations, the panel shall give priority to applications from State educational agencies whose States have modified, are modifying, or provide an assurance that not later than 18 months after receiving a grant under this section the State educational agencies will increase the training and the methods of teaching reading required for certification as an elementary school teacher to reflect scientifically based reading research, except that nothing in this Act shall be construed to establish a national system of teacher certification.

"(D) MINIMUM GRANT AMOUNTS.—

"(i) STATES.—Each State educational agency selected to receive a grant under this section shall receive an amount for the grant period that is not less than \$500,000.

"(ii) OUTLYING AREAS.—The Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands selected to receive a grant under this section shall receive an amount for the grant period that is not less than \$100,000.

"(E) LIMITATION.—The Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall not be eligible to receive a grant under this part.

"(d) READING AND LITERACY PARTNERSHIPS.—

"(1) REQUIRED PARTICIPANTS.—In order for a State educational agency to receive a grant under this section, the Governor of the State, in consultation with the State educational agency, shall establish a reading and literacy partnership consisting of at least the following participants:

"(A) The Governor of the State.

"(B) The chief State school officer.

"(C) The chairman and the ranking member of each committee of the State legislature that is responsible for education policy.

"(D) A representative, selected jointly by the Governor and the chief State school officer, of at least one local educational agency that is eligible to receive a subgrant under section 2255.

"(E) A representative, selected jointly by the Governor and the chief State school officer, of a community-based organization working with children to improve their reading skills, particularly a community-based organization using tutors and scientifically based reading research.

"(F) State directors of appropriate Federal or State programs with a strong reading component.

"(G) A parent of a public or private school student or a parent who educates their child or children in their

home, selected jointly by the Governor and the chief State school officer.

“(H) A teacher who successfully teaches reading and an instructional staff member, selected jointly by the Governor and the chief State school officer.

“(I) A family literacy service provider selected jointly by the Governor and the chief State school officer.

“(2) OPTIONAL PARTICIPANTS.—A reading and literacy partnership may include additional participants, who shall be selected jointly by the Governor and the chief State school officer, and who may include a representative of—

“(A) an institution of higher education operating a program of teacher preparation based on scientifically based reading research in the State;

“(B) a local educational agency;

“(C) a private nonprofit or for-profit eligible professional development provider providing instruction based on scientifically based reading research;

“(D) an adult education provider;

“(E) a volunteer organization that is involved in reading programs; or

“(F) a school library or a public library that offers reading or literacy programs for children or families.

“(3) PREEXISTING PARTNERSHIP.—If, before the date of the enactment of the Reading Excellence Act, a State established a consortium, partnership, or any other similar body, that includes the Governor and the chief State school officer and has, as a central part of its mission, the promotion of literacy for children in their early childhood years through the 3d grade and family literacy services, but that does not satisfy the requirements of paragraph (1), the State may elect to treat that consortium, partnership, or body as the reading and literacy partnership for the State notwithstanding such paragraph, and it shall be considered a reading and literacy partnership for purposes of the other provisions of this part.

20 USC 6661c.

“SEC. 2254. USE OF AMOUNTS BY STATE EDUCATIONAL AGENCIES.

“A State educational agency that receives a grant under section 2253—

“(1) shall use not more than 5 percent of the funds made available under the grant for the administrative costs of carrying out this part (excluding section 2256), of which not more than 2 percent may be used to carry out section 2259; and

“(2) shall use not more than 15 percent of the funds made available under the grant to solicit applications for, award, and oversee the performance of, not less than one subgrant pursuant to section 2256.

20 USC 6661d.

“SEC. 2255. LOCAL READING IMPROVEMENT SUBGRANTS.

“(a) IN GENERAL.—

“(1) SUBGRANTS.—A State educational agency that receives a grant under section 2253 shall make subgrants, on a competitive basis, to local educational agencies that either—

“(A) have at least one school that is identified for school improvement under section 1116(c) in the geographic area served by the agency;

“(B) have the largest, or second largest, number of children who are counted under section 1124(c), in

comparison to all other local educational agencies in the State; or

“(C) have the highest, or second highest, school-age child poverty rate, in comparison to all other local educational agencies in the State.

For purposes of subparagraph (C), the term ‘school-age child poverty rate’ means the number of children counted under section 1124(c) who are living within the geographic boundaries of the local educational agency, expressed as a percentage of the total number of children aged 5-17 years living within the geographic boundaries of the local educational agency.

“(2) SUBGRANT AMOUNT.—A subgrant under this section shall consist of an amount sufficient to enable the subgrant recipient to operate a program for a 2-year period and may not be revoked or terminated on the grounds that a school ceases, during the grant period, to meet the requirements of subparagraph (A), (B), or (C) of paragraph (1).

“(b) APPLICATIONS.—A local educational agency that desires to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and including such information as the agency may require. The application—

“(1) shall describe how the local educational agency will work with schools selected by the agency to receive assistance under subsection (d)(1)—

“(A) to select one or more programs of reading instruction, developed using scientifically based reading research, to improve reading instruction by all academic teachers for all children in each of the schools selected by the agency under such subsection and, where appropriate, for their parents; and

“(B) to enter into an agreement with a person or entity responsible for the development of each program selected under subparagraph (A), or a person with experience or expertise about the program and its implementation, under which the person or entity agrees to work with the local educational agency and the schools in connection with such implementation and improvement efforts;

“(2) shall include an assurance that the local educational agency—

“(A) will carry out professional development for the classroom teacher and other instructional staff on the teaching of reading based on scientifically based reading research;

“(B) will provide family literacy services based on programs such as the Even Start family literacy model authorized under part B of title I, to enable parents to be their child’s first and most important teacher;

“(C) will carry out programs to assist those kindergarten students who are not ready for the transition to first grade, particularly students experiencing difficulty with reading skills; and

“(D) will use supervised individuals (including tutors), who have been appropriately trained using scientifically based reading research, to provide additional support, before school, after school, on weekends, during noninstructional periods of the school day, or during the summer,

for children preparing to enter kindergarten and students in kindergarten through grade 3 who are experiencing difficulty reading;

"(3) shall describe how the applicant will ensure that funds available under this part, and funds available for reading instruction for kindergarten through grade 6 from other appropriate sources, are effectively coordinated, and, where appropriate, integrated with funds under this Act in order to improve existing activities in the areas of reading instruction, professional development, program improvement, parental involvement, technical assistance, and other activities that can help meet the purposes of this part;

"(4) shall describe, if appropriate, how parents, tutors, and early childhood education providers will be assisted by, and participate in, literacy-related activities receiving financial assistance under this part to enhance children's reading fluency;

"(5) shall describe how the local educational agency—

"(A) provides instruction in reading to children with reading difficulties who—

"(i) are at risk of being referred to special education based on these difficulties; or

"(ii) have been evaluated under section 614 of the Individuals with Disabilities Education Act but, in accordance with section 614(b)(5) of such Act, have not been identified as being a child with a disability (as defined in section 602 of the such Act); and

"(B) will promote reading and library programs that provide access to engaging reading material; and

"(6) shall include an assurance that the local educational agency will make available, upon request and in an understandable and uniform format, to any parent of a student attending any school selected to receive assistance under subsection (d)(1) in the geographic area served by the local educational agency, information regarding the professional qualifications of the student's classroom teacher to provide instruction in reading.

"(c) SPECIAL RULE.—To the extent feasible, a local educational agency that desires to receive a grant under this section shall form a partnership with one or more community-based organizations of demonstrated effectiveness in early childhood literacy, and reading readiness, reading instruction, and reading achievement for both adults and children, such as a Head Start program, family literacy program, public library, or adult education program, to carry out the functions described in paragraphs (1) through (6) of subsection (b). In evaluating subgrant applications under this section, a State educational agency shall consider whether the applicant has satisfied the requirement in the preceding sentence. If not, the applicant must provide information on why it would not have been feasible for the applicant to have done so.

"(d) USE OF FUNDS.—

"(1) IN GENERAL.—Subject to paragraph (2), a local educational agency that receives a subgrant under this section shall use amounts from the subgrant to carry out activities to advance reform of reading instruction in any school that (A) is described in subsection (a)(1)(A), (B) has the largest, or second largest, number of children who are counted under section 1124(c), in comparison to all other schools in the local educational agency, or (C) has the highest, or second highest,

school-age child poverty rate (as defined in the second sentence of subsection (a)(1)), in comparison to all other schools in the local educational agency. Such activities shall include the following:

“(A) Securing technical and other assistance from—

“(i) a program of reading instruction based on scientifically based reading research;

“(ii) a person or entity with experience or expertise about such program and its implementation, who has agreed to work with the recipient in connection with its implementation; or

“(iii) a program providing family literacy services.

“(B) Providing professional development activities to teachers and other instructional staff (including training of tutors), using scientifically based reading research and purchasing of curricular and other supporting materials.

“(C) Promoting reading and library programs that provide access to engaging reading material.

“(D) Providing, on a voluntary basis, training to parents of children enrolled in a school selected to receive assistance under subsection (d)(1) on how to help their children with school work, particularly in the development of reading skills. Such training may be provided directly by the subgrant recipient, or through a grant or contract with another person. Such training shall be consistent with reading reforms taking place in the school setting. No parent shall be required to participate in such training.

“(E) Carrying out family literacy services based on programs such as the Even Start family literacy model authorized under part B of title I, to enable parents to be their child's first and most important teacher.

“(F) Providing instruction for parents of children enrolled in a school selected to receive assistance under subsection (d)(1), and others who volunteer to be reading tutors for such children, in the instructional practices based on scientifically based reading research used by the applicant.

“(G) Programs to assist those kindergarten students enrolled in a school selected to receive assistance under subsection (d)(1) who are not ready for the transition to first grade, particularly students experiencing difficulty with reading skills.

“(H) Providing additional support for children preparing to enter kindergarten and students in kindergarten through grade 3 who are enrolled in a school selected to receive assistance under subsection (d)(1), who are experiencing difficulty reading, before school, after school, on weekends, during noninstructional periods of the school day, or during the summer, using supervised individuals (including tutors), who have been appropriately trained using scientifically based reading research.

“(I) Providing instruction in reading to children with reading difficulties who—

“(i) are at risk of being referred to special education based on these difficulties; or

“(ii) have been evaluated under section 614 of the Individuals with Disabilities Education Act but, in

accordance with section 614(b)(5) of such Act, have not been identified as being a child with a disability (as defined in section 602 of the such Act).

“(J) Providing coordination of reading, library, and literacy programs within the local educational agency to avoid duplication and increase the effectiveness of reading, library, and literacy activities.

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A recipient of a subgrant under this section may use not more than 5 percent of the subgrant funds for administrative costs.

“(e) TRAINING NONRECIPIENTS.—A recipient of a subgrant under this section may train, on a fee-for-service basis, personnel from schools, or local educational agencies, that are not a beneficiary of, or receiving, such a subgrant, in the instructional practices based on scientifically based reading research used by the recipient. Such a nonrecipient school or agency may use funds received under title I of this Act, and other appropriate Federal funds used for reading instruction, to pay for such training, to the extent consistent with the law under which such funds were received.

20 USC 6661a.

“SEC. 2256. TUTORIAL ASSISTANCE SUBGRANTS.

“(a) IN GENERAL.—

“(1) SUBGRANTS.—Except as provided in paragraph (4), a State educational agency that receives a grant under section 2253 shall make at least one subgrant on a competitive basis to—

“(A) local educational agencies that have at least one school in the geographic area served by the agency that—

“(i) is located in an area designated as an empowerment zone under part I of subchapter U of chapter 1 of the Internal Revenue Code of 1986; or

“(ii) is located in an area designated as an enterprise community under part I of subchapter U of chapter 1 of the Internal Revenue Code of 1986;

“(B) local educational agencies that have at least one school that is identified for school improvement under section 1116(c) in the geographic area served by the agency;

“(C) local educational agencies with the largest, or second largest, number of children who are counted under section 1124(c), in comparison to all other local educational agencies in the State; or

“(D) local educational agencies with the highest, or second highest, school-age child poverty rate, in comparison to all other local educational agencies in the State.

For purposes of subparagraph (D), the term ‘school-age child poverty rate’ means the number of children counted under section 1124(c) who are living within the geographic boundaries of the local educational agency, expressed as a percentage of the total number of children aged 5-17 years living within the geographic boundaries of the local educational agency.

“(2) NOTIFICATION.—

“(A) TO LOCAL EDUCATIONAL AGENCIES.—A State educational agency shall provide notice to all local educational agencies within the State regarding the availability of the subgrants under this section.

“(B) TO PROVIDERS AND PARENTS.—Not later than 30 days after the date on which the State educational agency

provides notice under subparagraph (A), each local educational agency described in paragraph (1) shall, as a condition on the agency's receipt of funds made available under title I of this Act, provide public notice to potential providers of tutorial assistance operating in the jurisdiction of the agency, and parents residing in such jurisdiction, regarding the availability of the subgrants under this section.

"(3) APPLICATION.—A local educational agency that desires to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and including such information as the agency may require. The application shall include an assurance that the local educational agency will use the subgrant funds to carry out the duties described in subsection (b) for children enrolled in any school selected by the agency that (A) is described in paragraph (1)(A), (B) is described in paragraph (1)(B), (C) has the largest, or second largest, number of children who are counted under section 1124(c), in comparison to all other schools in the local educational agency, or (D) has the highest, or second highest, school-age child poverty rate (as defined in the second sentence of paragraph (1)), in comparison to all other schools in the local educational agency.

"(4) EXCEPTION.—If no local educational agency within the State submits an application to receive a subgrant under this section within the 6-month period beginning on the date on which the State educational agency provided notice to the local educational agencies regarding the availability of the subgrants, the State educational agency may use funds otherwise reserved under 2254(2) for the purpose of providing local reading improvement subgrants under section 2255 if the State educational agency certifies to the Secretary that the requirements of paragraph (2) have been met and each local educational agency in the State described in subparagraph (B) of such paragraph has demonstrated to the State educational agency that no provider of tutorial assistance described in such subparagraph requested the local educational agency to submit under paragraph (3) an application for a tutorial assistance subgrant.

"(b) USE OF FUNDS.—

"(1) IN GENERAL.—A local educational agency that receives a subgrant under this section shall carry out, using the funds provided under the subgrant, each of the duties described in paragraph (2).

"(2) DUTIES.—The duties described in this paragraph are the provision of tutorial assistance in reading, before school, after school, on weekends, or during the summer, to children who have difficulty reading, using instructional practices based on scientifically based reading research, through the following:

"(A) The creation and implementation of objective criteria to determine in a uniform manner the eligibility of tutorial assistance providers and tutorial assistance programs desiring to provide tutorial assistance under the subgrant. Such criteria shall include the following:

"(i) A record of effectiveness with respect to reading readiness, reading instruction for children in

kindergarten through 3d grade, and early childhood literacy, as appropriate.

"(ii) Location in a geographic area convenient to the school or schools attended by the children who will be receiving tutorial assistance.

"(iii) The ability to provide tutoring in reading to children who have difficulty reading, using instructional practices based on scientifically based reading research and consistent with the reading instructional methods and content used by the school the child attends.

"(B) The provision, to parents of a child eligible to receive tutorial assistance pursuant to this section, of multiple choices among tutorial assistance providers and tutorial assistance programs determined to be eligible under the criteria described in subparagraph (A). Such choices shall include a school-based program and at least one tutorial assistance program operated by a provider pursuant to a contract with the local educational agency.

"(C) The development of procedures—

"(i) for the provision of information to parents of an eligible child regarding such parents' choices for tutorial assistance for the child;

"(ii) for considering children for tutorial assistance who are identified under subparagraph (D) and for whom no parent has selected a tutorial assistance provider or tutorial assistance program that give such parents additional opportunities to select a tutorial assistance provider or tutorial assistance program referred to in subparagraph (B); and

"(iii) that permit a local educational agency to recommend a tutorial assistance provider or tutorial assistance program in a case where a parent asks for assistance in the making of such selection.

"(D) The development of a selection process for providing tutorial assistance in accordance with this paragraph that limits the provision of assistance to children identified, by the school the child attends, as having difficulty reading, including difficulty mastering phonemic awareness, systematic phonics, fluency, and reading comprehension.

"(E) The development of procedures for selecting children to receive tutorial assistance, to be used in cases where insufficient funds are available to provide assistance with respect to all children identified by a school under subparagraph (D), that—

"(i) give priority to children who are determined, through State or local reading assessments, to be most in need of tutorial assistance; and

"(ii) give priority, in cases where children are determined, through State or local reading assessments, to be equally in need of tutorial assistance, based on a random selection principle.

"(F) The development of a methodology by which payments are made directly to tutorial assistance providers who are identified and selected pursuant to this section and selected for funding. Such methodology shall include the making of a contract, consistent with State and local

law, between the provider and the local educational agency. Such contract shall satisfy the following requirements:

"(i) It shall contain specific goals and timetables with respect to the performance of the tutorial assistance provider.

"(ii) It shall require the tutorial assistance provider to report to the local educational agency on the provider's performance in meeting such goals and timetables.

"(iii) It shall specify the measurement techniques that will be used to evaluate the performance of the provider.

"(iv) It shall require the provider to meet all applicable Federal, State, and local health, safety, and civil rights laws.

"(v) It shall ensure that the tutorial assistance provided under the contract is consistent with reading instruction and content used by the local educational agency.

"(vi) It shall contain an agreement by the provider that information regarding the identity of any child eligible for, or enrolled in the program, will not be publicly disclosed without the permission of a parent of the child.

"(vii) It shall include the terms of an agreement between the provider and the local educational agency with respect to the provider's purchase and maintenance of adequate general liability insurance.

"(viii) It shall contain provisions with respect to the making of payments to the provider by the local educational agency.

"(C) The development of procedures under which the local educational agency carrying out this paragraph—

"(i) will ensure oversight of the quality and effectiveness of the tutorial assistance provided by each tutorial assistance provider that is selected for funding;

"(ii) will provide for the termination of contracts with ineffective and unsuccessful tutorial assistance providers (as determined by the local educational agency based upon the performance of the provider with respect to the goals and timetables contained in the contract between the agency and the provider under subparagraph (F));

"(iii) will provide to each parent of a child identified under subparagraph (D) who requests such information for the purpose of selecting a tutorial assistance provider for the child, in a comprehensible format, information with respect to the quality and effectiveness of the tutorial assistance referred to in clause (i);

"(iv) will ensure that each school identifying a child under subparagraph (D) will provide upon request, to a parent of the child, assistance in selecting, from among the tutorial assistance providers who are identified pursuant to subparagraph (B) the provider who is best able to meet the needs of the child;

"(v) will ensure that parents of a child receiving tutorial assistance pursuant to this section are

informed of their child's progress in the tutorial program; and

"(vi) will ensure that it does not disclose the name of any child who may be eligible for tutorial assistance pursuant to this section, the name of any parent of such a child, or any other personally identifiable information about such a parent or child, to any tutorial assistance provider (excluding the agency itself), without the prior written consent of such parent.

20 USC 6661f.

"SEC. 2257. NATIONAL EVALUATION.

"From funds reserved under section 2260(b)(1), the Secretary, through grants or contracts, shall conduct a national assessment of the programs under this part. In developing the criteria for the assessment, the Secretary shall receive recommendations from the peer review panel convened under section 2253(c)(2).

20 USC 6661g.

"SEC. 2258. INFORMATION DISSEMINATION.

"(a) IN GENERAL.—From funds reserved under section 2260(b)(2), the National Institute for Literacy shall disseminate information on scientifically based reading research and information on subgrantee projects under section 2255 or 2256 that have proven effective. At a minimum, the institute shall disseminate such information to all recipients of Federal financial assistance under titles I and VII of this Act, the Head Start Act, the Individuals with Disabilities Education Act, and the Adult Education and Family Literacy Act.

"(b) COORDINATION.—In carrying out this section, the National Institute for Literacy—

"(1) shall use, to the extent practicable, information networks developed and maintained through other public and private persons; including the Secretary, the National Center for Family Literacy, and the Readline Program;

"(2) shall work in conjunction with any panel convened by the National Institute of Child Health and Human Development and the Secretary and any panel convened by the Office of Educational Research and Improvement to assess the current status of research-based knowledge on reading development, including the effectiveness of various approaches to teaching children to read, with respect to determining the criteria by which the National Institute for Literacy judges scientifically based reading research and the design of strategies to disseminate such information; and

"(3) may assist any State educational agency selected to receive a grant under section 2253, and that requests such assistance—

"(A) in determining whether applications submitted under section 2253 meet the requirements of this title relating to scientifically based reading research; and

"(B) in the development of subgrant application forms.

20 USC 6661h.

"SEC. 2259. STATE EVALUATIONS; PERFORMANCE REPORTS.

"(a) STATE EVALUATIONS.—

"(1) IN GENERAL.—Each State educational agency that receives a grant under section 2253 shall evaluate the success of the agency's subgrantees in meeting the purposes of this part. At a minimum, the evaluation shall measure the extent to which students who are the intended beneficiaries of the

subgrants made by the agency have improved their reading skills.

"(2) CONTRACT.—A State educational agency shall carry out the evaluation under this subsection by entering into a contract with an entity that conducts scientifically based reading research, under which contract the entity will perform the evaluation.

"(3) SUBMISSION.—A State educational agency shall submit the findings from the evaluation under this subsection to the Secretary. The Secretary shall submit a summary of the findings from the evaluations under this subsection and the national assessment conducted under section 2257 to the appropriate committees of the Congress, including the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate.

"(b) PERFORMANCE REPORTS.—A State educational agency that receives a grant under section 2253 shall submit performance reports to the Secretary pursuant to a schedule to be determined by the Secretary, but not more frequently than annually. Such reports shall include—

"(1) with respect to subgrants under section 2255, the program or programs of reading instruction, based on scientifically based reading research, selected by subgrantees;

"(2) the results of use of the evaluation referred to in section 2253(b)(2)(E)(iv); and

"(3) a description of the subgrantees receiving funds under this part.

"SEC. 2200. AUTHORIZATIONS OF APPROPRIATIONS; RESERVATIONS FROM APPROPRIATIONS; SUNSET. 20 USC 6661i.

"(a) AUTHORIZATIONS.—

"(1) FY 1999.—There are authorized to be appropriated to carry out this part and section 1202(c), \$260,000,000 for fiscal year 1999.

"(2) FY 2000.—There are authorized to be appropriated to carry out this part and section 1202(c) \$260,000,000 for fiscal year 2000.

"(b) RESERVATIONS.—From each of the amounts appropriated under subsection (a) for a fiscal year, the Secretary—

"(1) shall reserve 1.5 percent to carry out section 2257(a);

"(2) shall reserve \$5,000,000 to carry out section 2258; and

"(3) shall reserve \$10,000,000 to carry out section 1202(c).

"(c) SUNSET.—Notwithstanding section 422(a) of the General Education Provisions Act, this part is not subject to extension under such section."

(b) CONFORMING AMENDMENTS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 2003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6603) is amended—

(A) in subsection (a), by striking "title," and inserting "title (other than part C)"; and

(B) in subsection (b)(3), by striking "part C" and inserting "part D".

(2) PRIORITY FOR PROFESSIONAL DEVELOPMENT IN MATHEMATICS AND SCIENCE.—Section 2206 of the Elementary and

Secondary Education Act of 1965 (20 U.S.C. 6646) is amended by inserting "(other than part C)" after "for this title" each place such term appears.

(3) REPORTING AND ACCOUNTABILITY.—Section 2401 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6701) is amended by striking "under this part" each place such term appears and inserting "under this title (other than part C)".

20 USC 6702.

(4) DEFINITIONS.—Section 2402 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6701) is amended by striking "this part—" and inserting "this title (other than part C)—".

(5) GENERAL DEFINITIONS.—Section 14101(10)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801(10)(C)) is amended by striking "part C" and inserting "part D".

(6) PARTICIPATION BY PRIVATE SCHOOL CHILDREN AND TEACHERS.—Section 14503(b)(1)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8893(b)(1)(B)) is amended by striking "part C" and inserting "part D".

SUBTITLE II—AMENDMENTS TO EVEN START FAMILY LITERACY PROGRAMS

SEC. 201. RESERVATION FOR GRANTS.

Section 1202(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(c)) is amended to read as follows:

"(c) RESERVATION FOR GRANTS.—

"(1) GRANTS AUTHORIZED.—From funds reserved under section 2260(b)(3), the Secretary shall award grants, on a competitive basis, to States to enable such States to plan and implement statewide family literacy initiatives to coordinate and, where appropriate, integrate existing Federal, State, and local literacy resources consistent with the purposes of this part. Such coordination and integration shall include funds available under the Adult Education and Family Literacy Act, the Head Start Act, this part, part A of this title, and part A of title IV of the Social Security Act.

"(2) CONSORTIA.—

"(A) ESTABLISHMENT.—To receive a grant under this subsection, a State shall establish a consortium of State-level programs under the following laws:

"(i) This title (other than part D).

"(ii) The Head Start Act.

"(iii) The Adult Education and Family Literacy Act.

"(iv) All other State-funded preschool programs and programs providing literacy services to adults.

"(B) PLAN.—To receive a grant under this subsection, the consortium established by a State shall create a plan to use a portion of the State's resources, derived from the programs referred to in subparagraph (A), to strengthen and expand family literacy services in such State.

"(C) COORDINATION WITH PART C OF TITLE II.—The consortium shall coordinate its activities with the activities of the reading and literacy partnership for the State

established under section 2253(d), if the State educational agency receives a grant under section 2253.

"(3) **READING INSTRUCTION.**—Statewide family literacy initiatives implemented under this subsection shall base reading instruction on scientifically based reading research (as such term is defined in section 2252).

"(4) **TECHNICAL ASSISTANCE.**—The Secretary shall provide, directly or through a grant or contract with an organization with experience in the development and operation of successful family literacy services, technical assistance to States receiving a grant under this subsection.

"(5) **MATCHING REQUIREMENT.**—The Secretary shall not make a grant to a State under this subsection unless the State agrees that, with respect to the costs to be incurred by the eligible consortium in carrying out the activities for which the grant was awarded, the State will make available non-Federal contributions in an amount equal to not less than the Federal funds provided under the grant."

SEC. 202. DEFINITIONS.

Section 1202(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(e)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

"(3) the term 'family literacy services' means services provided to participants on a voluntary basis that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrate all of the following activities:

"(A) Interactive literacy activities between parents and their children.

"(B) Training for parents regarding how to be the primary teacher for their children and full partners in the education of their children.

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

"(D) An age-appropriate education to prepare children for success in school and life experiences.

SEC. 203. EVALUATION.

Section 1209 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6369) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(3) to provide States and eligible entities receiving a subgrant under this part, directly or through a grant or contract with an organization with experience in the development and operation of successful family literacy services, technical assistance to ensure local evaluations undertaken under section 1205(10) provide accurate information on the effectiveness of programs assisted under this part."

SEC. 204. INDICATORS OF PROGRAM QUALITY.

(i) **IN GENERAL.**—The Elementary and Secondary Education Act of 1965 is amended—

20 USC 6370.

(1) by redesignating section 1210 as section 1212; and
(2) by inserting after section 1209 the following:

20 USC 6369a.

"SEC. 1210. INDICATORS OF PROGRAM QUALITY.

"Each State receiving funds under this part shall develop, based on the best available research and evaluation data, indicators of program quality for programs assisted under this part. Such indicators shall be used to monitor, evaluate, and improve such programs within the State. Such indicators shall include the following:

"(1) With respect to eligible participants in a program who are adults—

"(A) achievement in the areas of reading, writing, English language acquisition, problem solving, and numeracy;

"(B) receipt of a high school diploma or a general equivalency diploma;

"(C) entry into a postsecondary school, job retraining program, or employment or career advancement, including the military; and

"(D) such other indicators as the State may develop.

"(2) With respect to eligible participants in a program who are children—

"(A) improvement in ability to read on grade level or reading readiness;

"(B) school attendance;

"(C) grade retention and promotion; and

"(D) such other indicators as the State may develop."

(b) STATE LEVEL ACTIVITIES.—Section 1203(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6363(a)) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(3) carrying out section 1210."

(c) AWARD OF SUBGRANTS.—Paragraphs (3) and (4) of section 1208(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368) are amended to read as follows:

"(3) CONTINUING ELIGIBILITY.—In awarding subgrant funds to continue a program under this part for the second, third, or fourth year, the State educational agency shall evaluate the program based on the indicators of program quality developed by the State under section 1210. Such evaluation shall take place after the conclusion of the startup period, if any.

"(4) INSUFFICIENT PROGRESS.—The State educational agency may refuse to award subgrant funds if such agency finds that the eligible entity has not sufficiently improved the performance of the program, as evaluated based on the indicators of program quality developed by the State under section 1210, after—

"(A) providing technical assistance to the eligible entity; and

"(B) affording the eligible entity notice and an opportunity for a hearing."

SEC. 205. RESEARCH.

The Elementary and Secondary Education Act of 1965, as amended by section 204 of this Act, is further amended by inserting after section 1210 the following:

"SEC. 1211. RESEARCH.

20 USC 5369b.

"(a) **IN GENERAL.**—The Secretary shall carry out, through grant or contract, research into the components of successful family literacy services, to use—

"(1) to improve the quality of existing programs assisted under this part or other family literacy programs carried out under this Act or the Adult Education and Family Literacy Act; and

"(2) to develop models for new programs to be carried out under this Act or the Adult Education and Family Literacy Act.

"(b) **DISSEMINATION.**—The National Institute for Literacy shall disseminate, pursuant to section 2258, the results of the research described in subsection (a) to States and recipients of subgrants under this part."

SUBTITLE III—REPEALS

SEC. 301. REPEAL OF CERTAIN UNFUNDED EDUCATION PROGRAMS.

(a) **COMMUNITY SCHOOL PARTNERSHIPS.**—The Community School Partnership Act (contained in part B of title V of the Improving America's Schools Act of 1994 (20 U.S.C. 1070 note) is repealed.

(b) **EDUCATIONAL RESEARCH, DEVELOPMENT, DISSEMINATION, AND IMPROVEMENT ACT OF 1994.**—Section 941(j) of the Educational Research, Development, Dissemination, and Improvement Act of 1994 (20 U.S.C. 6041(j)) is repealed.

(c) **ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.**—The following provisions are repealed:

(1) **INNOVATIVE ELEMENTARY SCHOOL TRANSITION PROJECTS.**—Section 1503 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6493).

(2) **DE LUCA TERRITORIAL EDUCATION IMPROVEMENT PROGRAM.**—Part H of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8221 et seq.).

(3) **EXTENDED TIME FOR LEARNING AND LONGER SCHOOL YEAR.**—Part L of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8351).

(4) **TERRITORIAL ASSISTANCE.**—Part M of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8371).

(d) **FAMILY AND COMMUNITY ENDEAVOR SCHOOLS.**—The Family and Community Endeavor Schools Act (42 U.S.C. 13792) is repealed.

(e) **GOALS 2000: EDUCATE AMERICA ACT.**—Subsections (b) and (d)(1) of section 601 of the Goals 2000: Educate America Act (20 U.S.C. 5951) are repealed.

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1999".

~~(g) For programs, projects or activities in the Department of Transportation and Related Agencies Appropriations Act, 1999, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:~~

Department of
Transportation
and Related
Agencies
Appropriations
Act, 1999.

AN ACT Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

For necessary expenses of the Immediate Office of the Secretary, \$1,624,000.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Immediate Office of the Deputy Secretary, \$585,000.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$8,750,000.

OFFICE OF THE ASSISTANT SECRETARY FOR POLICY

For necessary expenses of the Office of the Assistant Secretary for Policy, \$2,808,000.

OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION AND INTERNATIONAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Aviation and International Affairs, \$7,650,300: *Provided*, That notwithstanding any other provision of law, there may be credited to this appropriation up to \$1,000,000 in funds received in user fees.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

For necessary expenses of the Office of the Assistant Secretary for Budget and Programs, \$6,349,000, including not to exceed \$40,000 for allocation within the Department for official reception and representation expenses as the Secretary may determine.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Governmental Affairs, \$1,940,600.

~~DIVISION K—PAY-AS-YOU-GO PROVISION~~

~~Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the Joint Explanatory Statement of the Committee of Conference accompanying Conference Report No. 105-217, legislation in section 103 of Division A and in divisions C through J of this Act that would have been estimated by the Office of Management and Budget as changing direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 were it included in an Act other than an appropriation Act shall be treated as direct spending or receipts legislation, as appropriate, under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.~~

This Act may be cited as the "Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999".

Approved October 21, 1998.

LEGISLATIVE HISTORY—H.R. 4328 (S. 2307):

HOUSE REPORTS: No. 105-648 (Comm. on Appropriations) and 105-825 (Comm. of Conference).

SENATE REPORTS: No. 105-249 accompanying S. 2307 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 144 (1998):

July 29, considered and passed House.

July 30, considered and passed Senate, amended, in lieu of S. 2307.

Oct. 20, House agreed to conference report.

Oct. 21, Senate agreed to conference report.

○

Working Draft: Rationale for a restructured Goals 2000/ESEA--August 26, 1998

INTRODUCTION

There are four major approaches to thinking about how Goals 2000 and the ESEA might be restructured:

- (1) Goals 2000 and ESEA as they are currently structured changing the focus of Goals 2000 to implementing standards in the classroom;
- (2) Integrating Goals 2000 into the ESEA and consolidating programs in four broad categories-- equity, quality teaching, school environments conducive to learning, and excellence and innovation for standards-based reform;
- (3) Make all ESEA and Goals 2000 funds available through three programs targeted at the elementary, middle and high school levels; and
- (4) Make Title I one block grant, put everything else in a second block grant.

This paper focuses on Approach 2.

SUMMARY OF APPROACH 2

Part I -- Equity: Services to the most educationally disadvantaged students -- (1) Should there be an equity piece where Title I, Title VII, and Title IX are blended together or (2) should the funding that is provided under Titles I, VII, and IX would continue to flow to states, districts, and schools as separate programs?

Part 2-- Quality teaching -- A more significant overhaul, with perhaps greater flexibility at State and local levels, should be considered for programs designed to build capacity for high quality teaching by combining several programs--Titles II, III, and XIII of ESEA, as well as Goals 2000--under one new authority.

Part 3 -- School Environments Conducive to Learning

Part 4 -- Excellence and Innovation -- The federal role in education, as in other areas of national interest, should encompass responsibility for providing leadership and knowledge in response to existing challenges and new opportunities that face our nation's schools. This part combining funds from a number of current small, categorical programs into one or more parts to support the Secretary's initiatives and other initiatives to develop new knowledge and tools that can be used by States, districts and schools to inform the use of funds under Part 1.

Unassigned programs: Impact Aid, Education for Homeless Youth, Immigrant Education

Working Draft: Rationale for a restructured Goals 2000/ESEA--August 26, 1998

Accountability: Concept is to have a single accountability requirement that cuts across Parts 1 and 2 (perhaps building on what is already in the current Title I program.) This section will be informed by the work of the accountability paper.

BACKGROUND:

- ▶ One of the underlying concept of Goals 2000 and ESEA as amended in 1994 is for Federal education programs work together with, rather than separate from, one another and to support State and local school reform efforts.
- ▶ To facilitate this::
 - 1) Goals 2000 supported the development of the standards infrastructure;
 - 2) All ESEA programs are tied to standards in support of standards-based reform;
 - 3) Consolidated application and planning process, and consolidating administrative funds are authorized;
 - 4) School wide program authority allows funds from multiple Federal education programs to upgrade the entire educational program of a school without having to conform with specific statutory or regulatory requirements of each separate program as long as the intent and purposes of those programs are being met.

WHAT WE KNOW

What we know regarding school reform:

- ▶ Goals has been successful in supporting state and local efforts to put in place the framework for standards-based reform (content and performance standards, work on new assessments). In a 1997 Public Agendas survey, 98 percent of K-12 teachers and 82 percent of parents reported that their States or school districts have set guidelines for what students are expected to know and be able to do (Quality Counts, 1998, P. 72).
- ▶ Public comment indicates that the current emphasis on standards-based reform with aligned assessments and accountability for results should be continued. The framework is sound and should not be abandoned nor seriously altered. (Informational Forums)
- ▶ Once the framework is in place, high implementation states are focusing their efforts on building capacity at the district and school level to implement reform (CPRE)
- ▶ Districts need greater support aligning standards with curricula and assessment; schools

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need support implementing standards; and teachers need curriculum and instructional strategies aligned with their State's standards. (Informational Forums)

- ▶ When States make Goals 2000 grants available to districts on a annual basis only it is used to buy things as opposed to implementing reforms.
- ▶ The Special Strategies report found that where reform is implemented, it is funded with Title I dollars because districts and schools expect those funds to be available over the long term.
- ▶ Special Strategies also reports that outside assistance is a critical factor in those cases where reforms are successful implemented.
- ▶ There is a great need for tools to implement reform (information about research-based approaches.) (Informational Forums)
- ▶ There a need for more research in determining effective practices and in making research more useful to teachers and other practioners (Informational Forums).

What we know about the impact of current statutory provisions to promote a more coherent use of ESEA funds:

- ▶ States embraced consolidated planning (all but one State submitted a consolidated plan).
- ▶ Feedback from the consolidated planning process and Department Integrated Reviews indicate that these efforts have resulted in State program administrators taking with one another--often for the first time ever. However, while an important first step, even with consolidated planning, programs are being carried out in traditional ways and there appears to be little consultation outside of the planning process. Additionally, administrators of smaller discretionary grant programs (e.g. Homeless and Migrant) expressed concern about the risk of overlooking the needs of special populations. (Living in Interesting Time)
- ▶ There is currently not a uniform system for (coherent approach to distributing funds that support capacity development to schools For example, Eisenhower funds are distributed by formula to districts and technology funds are provided competitively at the State level.
- ▶ Sometimes individual program pots are too small to have significant impact at the school level (Eisenhower).
- ▶ Programs that deal with capacity building should be simplified and tied together more

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coherently. (Informational Forums)

- ▶ State administrators of Federal elementary/secondary program reported that IASA and Goals 2000 provided increased flexibility as a result of coordination and collaboration with other Federally-funded programs; increased opportunities to approve a wider range of local program designs; and pooling of State staff and other resources. (Living in Interesting Times, final draft).

What we know about the quality of the instructional staff/Support for consolidating programs around the quality of instructional staff

- ▶ The need to address teacher quality was the single most often raised issues in the informational forums. This is also topic of major public concern due to the results of the Massachusetts teacher exam, and the inability of some districts to find quality teachers.
- ▶ Studies show that teachers and principals have not been adequately prepared for the changes in practice needed by the new education reform efforts (CPRE).
- ▶ Often, school leadership is inadequate to achieve successful whole school reform. One critical instructional role of principals must be that of "leader" of leaders and "designer" of professional learning experiences (Loucks-Horsley, 1998; Sparks, 1998).
- ▶ Many teachers lack depth in content they teach, mastery of content pedagogy, and sufficient understanding about the diverse students they teach, particularly in those in high poverty schools (Shulman, 1987; Darling-Hammond, 1997; Villegas).
- ▶ The U.S. loses about 1/4 of all new teachers during the first 1 - 3 years of teaching.
- ▶ The attrition rate of new teachers in high poverty schools is much greater than in other population areas. Yet schools most impoverished and challenging continue to be the schools where new teachers are assigned, provided heavy loads and few resources to meet the challenges of students with the greatest need (National Commission, 1996; NCES data).
- ▶ Twenty-five percent of classes in schools with 50 percent or more poor children are taught by teacher lacking a major in the field. (Education Trust, Good Teaching Matters, 1998)
- ▶ Cohen/Hill research on the impact of certain types of professional development on student achievement.

Working Draft: Rationale for a restructured Goals 2000/ESEA—August 26, 1998**What we know about schools conducive to learning**

(To be added)

PROS and CONS**Pro**

- ▶ Retains historical focus of ESEA on equity and focus of both ESEA and Goals on standards-based reform.
- ▶ Responds to research and public comment indicating that local level capacity building must be addressed if standards are to be implemented in the classroom
- ▶ Responds to public comment on the need to simplify programs.

Con

- ▶ Individual focus on professional development, technology and school reform may be lost in a consolidated approach.
- ▶ There is a danger of having program consolidation and losing the accountability piece.
- ▶ Much of the field is invested in the current program structure.

DISCUSSION DOCUMENT – August 26, 1998

1

DRAFT PROPOSAL FOR RESTRUCTURING GOALS 2000 AND ESEA

Federal Role: The Federal role is to ensure equal access to education and promote educational excellence throughout the nation. Specifically the Federal role is to ensure, through continued support for standards-based reform, access of special populations to high quality education, to support State and local school efforts to create and sustain high quality public schools accountable for student learning, and to identify and disseminate information (including technical assistance) on best practice/research based approaches to improving student achievement. Federal dollars should be targeted to areas of greatest need in amounts that make a difference and should be additional to State and local funds already directed to these efforts.

Background: The President's fiscal year 1999 budget request sought \$___ for activities in Goals 2000, ESEA and related programs, and related Presidential initiatives. The description below shows one configuration of how these funds could be made available to build on the progress made since 1994 to support further implementation of standards-based reform. Total funding for each Part is the total of those current or proposed budget authorities in the FY 1999 budget associated with the goals of each part.

Part I (TO BE DISCUSSED AT A LATER POINT)

Threshold question: *How do the pieces that follow in the other parts support changes that are made in Part I?*

Summary: This part retains Titles I (including Even Start, Migrant Education, and the Neglected and Delinquent program), Title VII, and Indian Education programs with changes to strengthen their effectiveness.

Purpose: Provide funding to States, districts, and schools to improve the overall instructional program and support parental involvement to enable students attending high poverty schools to meet the same high standards expected of all students.

Mechanism: Retain existing Title I (including Even Start, Migrant, and N & D), Title VII, and Indian Education program structures with changes to strengthen program effectiveness such as strengthening the use of data driven researched based approaches in schoolwide and early childhood programs.

The status of the other special programs (Alaskan Native, Native Hawaiian) to be determined on a case by case basis.

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Accountability:

(A foundation of Goals 2000 and ESEA is the requirement for States to develop a system that includes challenging standards for all children, and a system that holds schools and districts accountable for educating all students in a manner in which students meet the standards. A key question for the reauthorization is "Does the accountability system these states promote adequately motivate changes in schools to ensure that all students reach challenging State standards?" A separate paper is addressing this including the issue of whether Federal dollars should be more explicitly tied to improvements in student performance as an incentive for school improvement. That paper will inform this document. The options below represent concepts to promote further thinking.) *Note: For the purposes of the format outlined in this document, the accountability provisions need to recognize that Title VI and Indian funds to not go through States.*

Option: Accountability linked to states providing disaggregated data to show that targets set for student achievement in the application have been met with (1) rewards for meeting benchmarks; and (2) a 2-level accountability system -- accountability level A -- interventions for schools that are identified as needing help, and accountability level B -- sanctions for schools that consistently fail to meet the benchmark.

Reward/Incentive - Title I only: Additional Title I funding over the FY 2000 level would go into a pot to be available either to reward states or schools or districts exceeding (?) biennial targets for improving student achievement demonstrated with disaggregated targets for increasing student achievement. Each year there is a new competition for the bonus money. Only those States with accountability systems in place (including assessments systems with capacity to disaggregate could participate in the reward program.

Interventions/Sanctions

(Level A) -- Strengthen existing Title I requirement that schools in need of improvement by requiring schools to spend a portion of their federal funds for outside technical assistance in revising their plan (either from school support team or other provider). Plan would also need to have district-level peer review.

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(Level B) -- Require Title I funds to be used for specific purposes if achievement continues to not improve such as extended day or summer school programs operated by the district or selecting a whole school reform model from a list approved by the State,

Total Funding: \$8.6 billion (all funding levels based on the Administration's FY 99 budget request)

Funding sources: Title I including Even Start, Migrant, and N & D, Title VII Bilingual Education Grants, Indian Education, Native Hawaiians, Alaskan Natives,

Part II -- High Quality Teaching to Implement Standards in the Classroom

Threshold question: *Should the focus of these funds be solely on teacher quality or district reform? This paper assumes teacher quality as the focus. District Reform is covered in Part IV.*

Summary: This part provides 2 pots of money-- one pot to ensure teachers are equipped with the knowledge and skill to support district reform, and the second for class size reduction. The first pot of money would replace existing programs for professional development, technology, and school reform, and technical assistance.

Purpose--Teacher Quality: Provide Federal support to States, districts and schools facilitate the implementation of standards in the classroom by improving the quality of teaching through support for:

- Ongoing professional development (for schools and district personnel including administrators and parents focus on improve teaching and learning tied to State standards including the applications of technology). At the school level these funds could be combined with funds designated for professional development from other sources and be allocated a single pot.
- Recruiting and retaining new teachers in high poverty schools;
- Helping teachers integrate technology into the classroom;
- Technical assistance from outside experts to help instructional staff to identify and implement research-based approaches to improving

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student achievement throughout the entire school;

Use of funds would be limited to those specified in the legislation.

Note: There are district and other supports necessary to strengthen and sustain quality teaching--such as the need for developing new curriculum aligned with standards at the district and school level? How does this type of activity get incorporated into this part?

Mechanism--
Teacher Quality

Threshold question: Should funds be distributed by formula or competitively at the State level? If funds are awarded competitively, should size of grant vary with largest grants going to districts with largest number of poor children? This paper assumes funds are distributed by formula through States to districts with a pot of funds reserved for competitive awards at the State level.

___ % of funds would be formula-driven (Using Title I formula) to States and to districts. States would have supplemental funds that would be awarded competitively to districts agreeing to implementing reform at an accelerated pace. State plan/application describes how State and Federal funds would be used together to address four areas.

Alternative A -- Funds in a single pot for all four purposes. State has the flexibility to target the competitive funds to a single area such as professional development when State funds are addressing the need in other areas.

Alternative B -- There is separate funding for each of the four purposes which could be combined at the option of the State--see accountability below.

Alternative C -- There is a single pot of funds, a certain percentage of which has to be spent in each area. The remaining funds can be spent in any area.

Accountability (A): (As with Part I, this section will be informed by the work of the accountability paper. The following are concepts to promote discussion only.)

Alternative A -- States write comprehensive plan with continuing benchmarks for improved achievement (e.g. closing the gap between high

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and low performing students, increasing the percentage of students meeting each of the state's proficiency levels) and describes how the State will know when the benchmarks have been met. States that do not meet their benchmarks have their grants reduced by 10 percent and other States can compete for those funds. *(How many years of performance would the determination of having meet the benchmark be based upon?)*

Alternative B -- States write comprehensive plan with continuing benchmarks for increased student achievement and how the State will know if the benchmarks have been met. States can combine funds among categories. If benchmarks are not met, the flexibility to combine funds among categories no longer exists.

Alternative B-1 -- Can an alternative be developed that has States demonstrate something up front as a condition of increased flexibility

Other questions: How can the concept of whole school reform be strengthened in this part? Should discretionary funds be targeted to schoolwide schools? Is there a State role in this part, and if so what should it be?

Purpose-
Class size
Reduction: Insert Administration class size reduction proposal here

Total Funding: Part 1 - Teacher quality \$1.8 billion

Funding Source: Part 1 - Eisenhower, Goals 2000, TCLF, Technology Innovation Grants, RTACS, Teacher Training in Technology, Title VI, SDFSCA State grants, CRACs, Eisenhower Regional Centers, Class size reduction, America Reads, Goals 2000 Parent Assistance Centers

Part 2 - Class Size Reduction \$1.1 million

Part III -- School Environment (to be developed)

Summary: This part provides funds to create safe school environments in a broader authority that replaces the current SDFSCA.

Purpose: To provide funds to increase the capacity of districts and schools to create

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environments conducive to learning focusing on the overall issue of school safety

Mechanism: To be determined.

Accountability: To be determined.

Total Funding: \$526,000 million

Funding Source: SDFSCA

Part IV-- Excellence and Innovation (need new title)

Summary: This part provides one or more pots of money to support the Secretary's initiatives and other initiatives to develop new knowledge and tools that can be inform the use of funds in Parts I and II by local districts and schools. It replaces all programs not covered above except Impact Aid, Immigrant Education, and Education for Homeless Children and Youth.

Purpose: To provide a flexible authority for Federal initiatives in support of the larger purposes of the ESEA as described in Parts I and II. These funds would support activities related to the Secretary's seven priorities and could include Administration initiatives either as free-standing pieces with separate line items or such initiatives could be the actual text of the part.

- All students read independently by the end of third grade
- All students master challenging mathematics including the foundations of algebra and geometry by the end of 8th grade
- All students prepared for and able to afford college
- All states and schools will have challenging and clear standards of achievement and accountability for all children and effective strategies for reaching those standards
- There will be a talented, dedicated and well-prepared teacher in every classroom.
- All students will be technologically literate.
- Every school will be strong, safe, drug-free, and disciplined.
- Public school choice
- Support for the development of comprehensive school

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- reform models
- Educational Opportunity Zones
- Secondary School Reform

Mechanism: Discretionary grants to SEAs, LEAs, consortia of LEAs, and others

Accountability: To be determined

Total Funding: \$1.139 billion

Funding Source: Goals 2000 International Education Exchange, Title I evaluation, CSRD, Transition demonstrations, Eisenhower Federal activities, technology community-based centers, STAR schools, technology leadership grants, Read-to-learn TV, Technology math demo project, SDFSCA national programs and coordinator initiatives, magnet schools, WEEA, Title VII foreign-language assistance, Indian Education national activities, FIEA, Gifted and talented, public charter schools, arts in education, RIF, Civic Education, 21st Century Learning Centers, National Writing Project

Major Issue: *How the role of a major demonstration/evaluation/research authority in ESEA relate to OERI?*

Unassigned

Impact Aid
 Immigrant Education
 Education for Homeless Children and Youth

Total Funding: \$876, 000 million

Note: The OESE team is working on significant changes and improvements in the current Impact Aid Program. Possible changes also are being identified for the Homeless program.