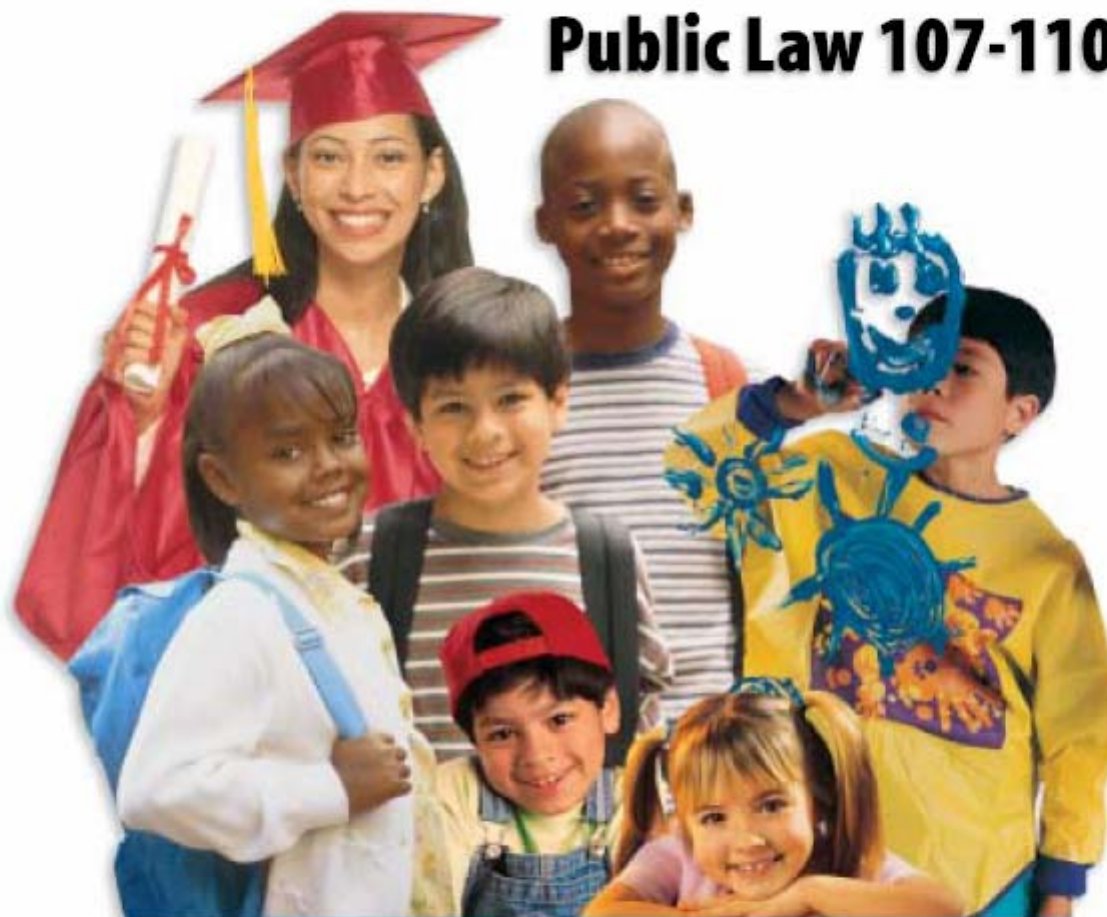


No Child Left Behind

Public Law 107-110



TEXAS EDUCATION AGENCY
AUSTIN, TEXAS

The No Child Left Behind Act of 2001

The No Child Left Behind Act of 2001, which was signed into law on January 8, 2002, is perhaps the most sweeping reform of federal education legislation since the original Elementary and Secondary Education Act was passed in 1965. The guiding tenets of NCLB are concentrated in four major areas:

- ◆ Accountability for Student Achievement
- ◆ Focus on What Works
- ◆ Flexibility
- ◆ Parental Involvement



MAJOR NO CHILD LEFT BEHIND PROGRAMS

Title I, Part A	Improving Basic Programs Operated by LEAs	Formula to LEAs
Title I, Part A	School Improvement Program	Discretionary to LEAs having Title I campuses identified for School Improvement
Title I, Part B, Subpart 1	Reading First	Discretionary to LEAs
Title I, Part B, Subpart 3	Even Start	Discretionary to LEAs
Title I, Part C	Education of Migratory Children	Formula and Discretionary to LEAs
Title I, Part D	Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk	Formula to LEAs
Title I, Part F	Comprehensive School Reform	Discretionary to LEAs
Title II, Part A	Teacher and Principal Training and Recruiting	Formula to LEAs
Title II, Part D	Enhancing Education Through Technology	Formula and Discretionary to LEAs
Title III, Part A	English Language Acquisition, Language Enhancement, and Academic Achievement	Formula to LEAs
Title IV, Part A, Subpart 1	Safe and Drug-Free Schools and Communities	Formula to LEAs
Title IV, Part B	21st Century Community Learning Centers	Discretionary to LEAs
Title V, Part A	Innovative Programs	Formula to LEAs
Title VI, Part A, Subpart 2	Funding Transferability	Flexibility Program only; No funding
Title VI, Part B, Section 6211	REAP	Flexibility Program
Title VI, Part B, Subpart 2	Rural and Low-Income Schools	Formula to LEAs

ACCOUNTABILITY

In an effort to foster systemic change in the nation's schools, the NCLB statute details stringent accountability requirements, as well as qualification requirements for teachers and paraprofessionals who provide instruction. NCLB requires that students in all schools be tested in reading and mathematics beginning in Grade 3, with science assessments added beginning in 2007-2008.

Performance Goals

The U.S. Department of Education has identified five performance goals related to student achievement. Each goal has one or more performance indicators that will be used to measure effectiveness.

Each local educational agency (LEA) that applies for funding under NCLB must agree to adopt these performance goals and indicators. Progress toward achieving these five goals will be assessed annually.

GOAL 1

By 2013-2014, all students will reach high standards, at a minimum attaining proficiency or better in reading/language arts and mathematics.

- ◆ The percentage of students, in the aggregate and for each subgroup, who are at or above the proficient level in reading on the state's assessment.
- ◆ The percentage of students, in the aggregate and for each subgroup, who are at or above the proficient level in mathematics on the state's assessment.
- ◆ The percentage of Title I, Part A schools that make Adequate Yearly Progress.

GOAL 2

All limited English proficient students will become proficient in English and reach high academic standards, at a minimum attaining proficiency or better in reading/language arts and mathematics.

- ◆ The percentage of limited English proficient students, determined by cohort, who have attained English proficiency by the end of the school year.
- ◆ The percentage of limited English proficient students who are at or above the proficient level in reading/language arts on the state's assessment.
- ◆ The percentage of limited English proficient students who are at or above the proficient level in mathematics on the state's assessment.

GOAL 3

By 2005-2006, all students will be taught by highly qualified teachers.

- ◆ The percentage of classes being taught by "highly qualified" teachers [as the term is defined in section 9101(23) of NCLB], in the aggregate and in "high-poverty" schools [as the term is defined in section 1111(h)(1)(C)(viii) of NCLB].
- ◆ The percentage of teachers receiving high-quality professional development [as the term "professional development" is defined in section 9101(34)].
- ◆ The percentage of paraprofessionals (excluding those whose sole duties are translators and parental involvement assistants) who are qualified. [See criteria in section 1119(c) and (d).]

GOAL 4

All students will be educated in learning environments that are safe, drug-free, and conducive to learning.

- ◆ The number of persistently dangerous schools, as defined by the State.

GOAL 5

All students will graduate from high school.

- ◆ The percentage of students who graduate from high school, with a regular diploma,
 - ◆ Disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged;
 - ◆ Calculated in the same manner as used in National Center for Education Statistics reports.
- ◆ The percentage of students who drop out of school,
 - ◆ Disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged;
 - ◆ Calculated in the same manner as used in National Center for Education Statistics reports.

Adequate Yearly Progress

The No Child Left Behind statute requires states to define "Adequately Yearly Progress" in order to determine whether campuses and local education agencies (LEAs) are making adequate progress on state assessments to ensure that all students obtain proficiency by School Year 2013-2014.

School Improvement

NCLB has strengthened the School Improvement interventions required when a Title I, Part A campus or LEA fails to make AYP. The level of school improvement depends on how many years the campus or district has failed to make AYP.

YEAR 1

Title I, Part A campuses that have failed to make AYP for two consecutive years.

- ◆ A campus in Year 1 must develop or revise within three months of identification a two-year school improvement plan that meets the requirements of Section 1116(b)(3)(A).
- ◆ LEA must offer School Choice.
- ◆ LEA must provide the campus with technical assistance, including data analyses to identify and address problems in instruction, in meeting parental involvement and professional development requirements, to identify and address solutions, and to analyze and revise the campus budget to more effectively allocate resources.

School Choice

Under No Child Left Behind, when a Title I, Part A campus has been identified for School Improvement, the LEA is required to provide **all students enrolled** in the school with the option to transfer to another public school served by the LEA that has not been identified for school improvement. In providing students the option to transfer to another public school, the LEA must **give priority to the lowest achieving children from low-income families**, as determined by the LEA for the purpose of making Title I, Part A campus allocations.

Students who exercise the school choice option must be enrolled in classes and other activities in the public school to which the students transfer in the same manner as all other children at the public school.

In the event that all campuses in the LEA to which a child may transfer are identified for school improvement, corrective action, or restructuring, the LEA shall, to the extent practicable, establish a cooperative agreement with other LEAs in the area for a transfer.

YEAR 2

Title I, Part A campuses that have failed to make AYP for three consecutive years.

- ◆ The revised Campus Improvement Plan must be implemented.
- ◆ The LEA serving the campus must continue to provide School Choice.
- ◆ The LEA must continue to provide Technical Assistance to the campus.
- ◆ The LEA must offer Supplemental Educational Services to students from low-income families.

Supplemental Educational Services

The LEA is required to arrange for the provision of supplemental educational services for students from low-income families. Supplemental educational services are defined as tutoring and other supplemental academic enrichment services that are in addition to instruction provided during the school day and are of high quality, research-based, and specifically designed to increase the academic achievement of eligible children on the state assessment and to assist them in attaining proficiency in meeting the state's academic achievement standards.

If parents of these students wish to have their child receive supplemental educational services, they **must choose a provider from the list of approved providers** that is developed and maintained by the state. For a list of Approved Providers, access the Agency's NCLB web site.

All students from low-income families (as defined by the LEA in determining Title I, Part A campus allocations) are eligible to request supplemental educational services if they attend a Title I, Part A campus that has failed to make AYP for three consecutive years. However, if funds are insufficient for the LEA to meet all requests for supplemental educational services, the LEA must give priority to the lowest achieving students from low-income families.

Funding Requirements

The NCLB statute requires LEAs to expend an amount equal to 20% of its current-year Title I, Part A entitlement as follows, unless a lesser amount is needed:

- ◆ An amount equal to 5% of its current-year entitlement to provide, or pay for, transportation for students exercising the Public School Choice option available to students enrolled in a campus that has been identified for school improvement under Section 1116.
- ◆ An amount equal to 5% of its current-year entitlement to provide supplemental educational services under Section 1116; and
- ◆ An amount equal to the remaining 10% of its current-year entitlement for transportation for students under Public School Choice, supplemental educational services under Section 1116, or both, as the LEA determines.

Information concerning the requirements under Year 3 (Corrective Action), Year 4 (Restructuring), and Year 5 (Alternative Governance), are available on the Agency's NCLB web site.

Teacher Quality

The No Child Left Behind Act of 2001 states that any teacher hired after the first day of the 2002-2003 school year to teach in a Title I, Part A program must be "highly qualified."

In addition, the law requires all LEAs to have a plan to ensure that all teachers in the LEA teaching in core academic subjects are "highly qualified" by the end of the 2005-2006 school year.

The Core Academic Subjects as defined by NCLB are:

- ◆ English
- ◆ Reading /language arts
- ◆ Mathematics
- ◆ Science
- ◆ Foreign languages
- ◆ Civics and government
- ◆ Economics
- ◆ Arts
- ◆ History
- ◆ Geography

Five Percent Set-Aside

The LEA is required to set aside at least 5% of its Title I, Part A entitlement, unless a lesser amount is needed, for use in assisting Title I, Part A teachers and paraprofessionals to meet the requirements of Section 1119.

Principal Certification

The principal of each Title I, Part A campus must annually attest in writing whether the campus is in compliance with Section 1119 (Teacher and Paraprofessional Qualifications). Copies of these attestations must be maintained at each Title I, Part A campus and at the main office of the LEA and shall be available to any member of the general public on request.



Paraprofessional Qualifications

The No Child Left Behind Act of 2001 contains the following qualification requirements for paraprofessionals providing instruction in Title I, Part A programs.

Paraprofessionals who are hired after January 8, 2002, must:

- ◆ Hold a high school diploma or recognized equivalent
- and must also have*
- ◆ Completed at least 2 years of study at an institution of higher education; or
 - ◆ Obtained an associate's (or higher) degree; or
 - ◆ Met a rigorous standard of quality and can demonstrate through a formal state or local assessment:
 - 1) Knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or
 - 2) Knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate.

Exception

These qualification requirements do not apply to those paraprofessionals

- ◆ Who are proficient in English and a language other than English and provide services to enhance the participation of children in Title I, Part A programs by acting as translator; or
- ◆ Whose duties consist solely of conducting parental involvement activities consistent with Section 1118.

These requirements apply on a Title I, Part A schoolwide campus to any paraprofessional who is providing instruction.

Title I, Part A funds, as well as Title II, Part A funds, may be used to assist paraprofessionals in achieving these qualifications.

All paraprofessionals who were hired before January 8, 2002, and who are working in a Title I, Part A program must meet the qualification requirements no later than January 8, 2006.

FOCUS ON WHAT WORKS

NCLB puts a special focus on doing what works by stressing the importance of selecting instructional approaches that have a proven track record.

To say that an instructional practice or program is research-based, there must be carefully obtained, reliable evidence that the program or practice works. For example, an evaluation might measure a group of children who are learning how to read using different methods, and then compare the results to see which method is most successful.

"Scientifically based research" is defined by the NCLB statute as research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs.

For example, there are five essential components of reading instruction: phonemic awareness, phonics, oral reading fluency, vocabulary development, and comprehension strategies. These have all been validated through years of peer-reviewed and replicated scientific research into the practice of reading instruction. These findings were reported in the Congressionally mandated National Reading Panel report in April 2000 and have now been included in NCLB.

FLEXIBILITY

TITLE I, PART A

The poverty threshold for schoolwide program eligibility has been lowered to 40% thereby allowing more Title I, Part A campuses the opportunity to participate as schoolwide programs.

TITLE II, PART A — TEACHER AND PRINCIPAL TRAINING AND RECRUITING

This program replaces the previous Title II — Eisenhower Professional Development Program and the previous Title VI — Class-Size Reduction Program, eliminating many of the former constraints on the use of funds. The new Title II, Part A programs focus on preparing, training, and recruiting high-quality teachers and principals while also retaining a focus on class-size reduction. LEAs target their program funds based on the results of a comprehensive assessment of need.

TITLE V, PART A — INNOVATIVE PROGRAMS

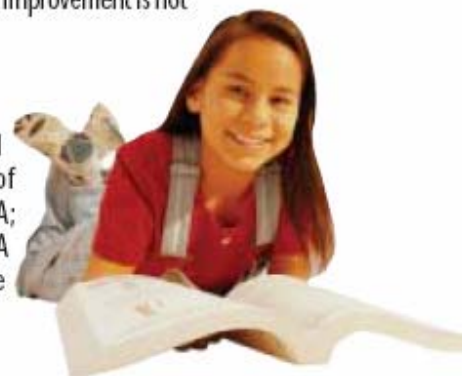
Flexibility has been greatly increased under Title V, Part A (formerly Title VI — Innovative). The number of innovative program areas has been expanded from ten to twenty-seven.

TITLE VI, PART A, SUBPART 2 — FUNDING TRANSFERABILITY

An LEA that has not been identified for school improvement under Title I, Part A may choose through the Funding Transferability program to redirect the use of up to 50% of its Title II, Part A; Title II, Part D; Title IV, Part A; and/or Title V, Part A entitlements. An LEA that has been identified for school improvement may redirect the use of up to 30% of these entitlements. An LEA that has been identified for corrective action under Title I, Part A School Improvement is not eligible to participate in Funding Transferability.

TITLE VI, PART B, SECTION 6211 — REAP

An LEA that is eligible for participation in the Rural Education Achievement Program has the option of redirecting the use of up to 100% of its Title II, Part A; Title II, Part D; Title IV, Part A; and/or Title V, Part A entitlements. A list of the 456 LEAs in Texas that are eligible for REAP is available on the Agency's NCLB web site.





PARENTAL INVOLVEMENT

Notification and information to parents must be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

PARENTS' RIGHT TO KNOW

At the beginning of each school year, an LEA receiving Title I, Part A funds must notify the parents of each student attending any Title I, Part A campus that the LEA will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:

- ◆ Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
- ◆ Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived.
- ◆ The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree.
- ◆ Whether the child is provided services by paraprofessionals and, if so, their qualifications.

PARENT NOTIFICATION

A campus that receives Title I, Part A funds must provide to each individual parent:

- ◆ Information on the level of achievement of the parent's child in each of the state academic assessments as required under Title I, Part A; and
- ◆ Timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified.

If a Title I, Part A campus is identified for School Improvement, the LEA must promptly provide the following information to the parents:

- ◆ An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary schools or secondary schools served by the LEA and the state;
- ◆ The reasons for the identification;
- ◆ An explanation of what the school identified for school improvement is doing to address the problem of low achievement;
- ◆ An explanation of what the LEA or state is doing to help the school address the achievement problem;
- ◆ An explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and
- ◆ An explanation of the parents' option to transfer their child to another public school or to obtain supplemental educational services for the child.

REQUIREMENTS FOR WRITTEN POLICIES AND SCHOOL-PARENT COMPACTS

NCLB continues the Title I, Part A requirements for written LEA and campus parent involvement policies, as well as school-parent compacts. A list of specific requirements for the policies and compacts can be found through the Agency's NCLB web site.

RESERVATION OF FUNDS

NCLB requires LEAs with a Title I, Part A entitlement exceeding \$500,000 to reserve at least 1% of that entitlement to carry out Title I, Part A parent involvement activities, including promoting family literacy and parenting skills.

Parents of children who receive Title I, Part A services must be involved in the decisions regarding how these funds are allotted for parental involvement activities. Not less than 95% of the 1% Title I, Part A funds reserved for parental involvement must be distributed to Title I, Part A campuses, and must be in addition to the campus's regular Title I, Part A allocation.

FOR MORE INFORMATION CONTACT:

Texas Education Agency

Web site: <http://www.tea.state.tx.us/nclb>



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