



Title I was originally enacted in 1965 as the cornerstone of President Lyndon B. Johnson's "War on Poverty." As stated in Section 201 of the **Elementary and Secondary Education Act (ESEA)** signed by Johnson on April 9, 1965, "In recognition of the special educational needs of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs, the Congress hereby declares it to be the policy of the United States to provide financial assistance."

The **No Child Left Behind Act**, signed into law by President George W. Bush on January 8, 2002, considerably restructured many parts of the Elementary and Secondary Education Act (ESEA), including Title I, from its last reauthorization in 1994, to support a high degree of accountability desired by President Bush.



The emphasis on this legislation is that states must adopt high academic content standards in mathematics and reading/language arts, with science to be added in 2005. While all states developed content standards in at least reading and math by 1997, specifying what all students are expected to know and be able to do, the goal is to leave no child behind by strengthening those standards. The standards are to be applied to all schools, but sanctions will only be applied to Title I schools and districts which fail to meet the standards. To assess the meeting of those standards, the Act requires annual testing for grades 3-8 starting in 2005-06, in math and reading, and by 2007-08, science as well. States must define **adequate yearly progress (AYP)** in a way that applies to all students, and will be measured primarily by the required state assessments. Benchmarks for ensuring the rigor of state standards and assessments will be provided by states' biennial participation in the National Assessment of Educational Progress (NAEP). Title I's focus is on helping disadvantaged students meet the same high standards expected of all children.

Along with accountability, the Act redesigned the ESEA programs to emphasize three other pillars of reform: utilize practices that have been shown to work through scientific research, give states and districts additional local control and flexibility, and give parents expanded options, i.e. school choice or supplemental services.

While the main goal of the No Child Left Behind Act is for every student to meet state academic achievement standards, the Act also has established these five core performance goals:

- * All students will reach high standards, at a minimum attaining proficiency or better in reading/language arts and mathematics by 2013-14.
- * 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.
- * By 2005-06, all students will be taught by highly qualified teachers.
- * All students will be educated in learning environments that are safe, drug free, and conducive to learning.
- * All students will graduate from high school.

These goals are repeated throughout the Act, exemplifying that many of these goals are not

just specific to Title I, but also to Title II, III, IV and V.

In order to measure whether students are meeting the performance standards, states must institute a system which includes high quality assessments that have been aligned with state content standards. Title I, as a result, will use the same assessments that are used in the state for all children. For Massachusetts, that is the Massachusetts Comprehensive Assessment System (MCAS).

Under the reauthorized ESEA, states may suspend administration, but not the development of the annual tests for grades 3-8 for one year for each year that federal appropriations for assessment development falls below set levels (\$370 million for fiscal 2002, rising by \$10 million each year until 2005, when the trigger reaches \$400 million for assessment development).

*Performance-based state accountability requirements were established with the latest reauthorization, defining adequate yearly progress within subgroups (economically disadvantaged, disabled, LEP students, and students from major racial and ethnic groups) so that it results in continuous improvement. Each state must create a timeline that plans to get **ALL** students to the "proficient" level within 12 years. Within the timeline, annual measurable objectives must be set separately for each subject, and the first increase must occur within two years. Subsequent increases must take place every three years.*

Schools that do not meet such increases after failing to make AYP for two consecutive years are designated as "needing improvement." After being designated, the school must:

- develop an improvement plan within the first three months of being designated and receive technical assistance*
- dedicate ten percent of Title I funding to professional development*
- notify parents of school improvement status*
- make public school choice available within the district to low-performing students, with the district paying for transportation.*

Additionally, if the school fails to meet AYP for a third consecutive year, the school is required to:

- offer and provide supplemental educational services to low-performing students, including private tutoring.*

By the fourth consecutive year of failing to reach AYP, the school must be identified for corrective action, along with continuing to do the remedial actions required of all schools "needing improvement." Additional actions would include:

- replace relevant school staff and appoint an outside expert*
- create new curriculum for all core content areas, and extend the school day or year*

If those measures fail to get the school to meet AYP for a fifth consecutive year, the district must continue supplemental services and public school choice, along with restructuring the school in one of the following ways:

- reopening the school as a charter school*
- replace all or most of the relevant school staff, including the principal*
- contract with private management*
- have the state take the school over*
- or other major restructuring.*

School districts can also be identified as needing improvement. If the district fails to make AYP under the state's standard for districts for two consecutive years, they must:

- develop improvement plans parallel to those for schools*
- spend ten percent of their school improvement funds for professional development.*

If a district fails after two years of technical assistance, the state must follow with one of the following:

- defer program funds*
- reduce administrative funds*
- implement a new curriculum*
- remove district staff*
- remove certain schools from the district's jurisdiction*
- appoint an outside manager*
- restructure or abolish the district*
- or allow students the option of transferring to a school in another district that is not designated for improvement.*

If a district makes AYP for two consecutive years during the time it has been designated as "in need of improvement," it will be removed from that status.

States must implement a program to recognize schools that have "significantly closed the achievement gap" between subgroups, or have exceeded AYP benchmarks for a minimum of two consecutive years. In a year when a state's Title I funding increases, it may utilize up to five percent of that increase for the recognition program.

Sanctions also can be placed on states that fail to comply with deadlines agreed to in the 1994 ESEA, including extended deadlines created through waivers and compliance agreements. Those states may lose 25 percent of available funding for administration and state-level activities each year.

For schools which significantly close the achievement gap or have exceeded AYP benchmarks, each state must establish an award program, which may include financial awards for schools and/or individual teachers.

Within four years, states must ensure that all of its teachers are qualified to teach in the subject area the teacher is teaching in, with states being allowed to require its teachers to pass subject tests or major in their field in college. All Title I teachers hired as of September 2002 must be either certified or licensed by a state and demonstrate a high level of competence in the subjects they teach. By 2005-06, every public school teacher must qualify under the same standard. Paraprofessionals hired after the law's signing on January 8, 2002 are required to have completed two years of college, obtained a minimum of an associate's degree, or demonstrate on a "formal" assessment their knowledge of and ability to instruct in reading, writing and math. Existing paraprofessionals are required to meet the requirements within four years. Paraprofessionals involved with translation or parental involvement activities, though, are exempt from these requirements.

High-quality and detailed standards were also established in the Act for professional development, requiring that it must be provided for teachers, principals and administrators. Professional development must be aligned to state standards and should be on-going, sustained and based on scientifically-based research. Schools in need of improvement must

set aside ten percent of their Title I funds for professional development, aimed directly at addressing the problem(s) that led to identification for improvement.

Teachers and educators in general also received liability protection in the reauthorized ESEA, with language designed to protect educators from legal liability for undertaking actions considered reasonable in an effort to maintain order, discipline and related to providing educational services. This is intended to shield educators from lawsuit abuse, but does not apply in situations related to violent crime, sexual offenses, violations of federal or state civil rights law; or drug or alcohol use.

Funding for Title I has been significantly changed through the recent reauthorization of the ESEA. For the last few years, Senators have been able to guarantee the same level of funding as in the previous year, even if the poverty rate decreased in their state, through the "hold harmless" provision. Similar language is in this reauthorization, but districts are only guaranteed 85 to 95 percent (depending on a district's poverty rate) of the previous year's Title I allocation. While basic and concentration grants do fund a large portion of Title I programs, additional targeted grants have gained importance, as more funding is being aimed at the poorest states and districts, in an attempt to help those greatest in need of assistance.

"Reading First" and "Early Reading First" were two literacy programs established in the reauthorized ESEA. The objective of Reading First is to help K-3 students to read at or above grade level, while through Early Reading First, funding is concentrated on three- to five-year-old children in areas with high numbers who are not reading at grade level. Reading First was authorized for \$900 million in 2002, while Early Reading First, was approved for \$75 million this year. Both are competitive grant programs.

Title I, as the cornerstone of the revised ESEA, is intended to ensure that all children, whatever their backgrounds and whatever schools they attend, can acquire the knowledge and skills necessary to succeed in the 21st century. No child should be left behind.