

**Department of Education**  
**ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**  
**Fiscal Year 2011 Budget Request**

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**[EDUCATION FOR THE DISADVANTAGED] ACCELERATING ACHIEVEMENT AND ENSURING EQUITY<sup>1</sup>**

[For carrying out title I of the Elementary and Secondary Education Act of 1965 (“ESEA”) and section 418A of the Higher Education Act of 1965, \$15,914,666,000, of which \$4,954,510,000 shall become available on July 1, 2010, and shall remain available through September 30, 2011, and of which \$10,841,176,000 shall become available on October 1, 2010, and shall remain available through September 30, 2011, for academic year 2010–2011:<sup>2</sup> *Provided*, That \$6,597,946,000 shall be for basic grants under section 1124 of the ESEA:<sup>3</sup> *Provided further*, That up to \$4,000,000 of these funds shall be available to the Secretary of Education on October 1, 2009, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census:<sup>4</sup> *Provided further*, That \$1,365,031,000 shall be for concentration grants under section 1124A of the ESEA:<sup>5</sup> *Provided further*, That \$3,264,712,000 shall be for targeted grants under section 1125 of the ESEA:<sup>6</sup> *Provided further*, That \$3,264,712,000 shall be for education finance incentive grants under section 1125A of the ESEA:<sup>7</sup> *Provided further*, That \$9,167,000 shall be to carry out sections 1501 and 1503 of the ESEA:<sup>8</sup> *Provided further*, That \$545,633,000 shall be available for school improvement grants under section 1003(g) of the ESEA, which shall be allocated by the Secretary through the formula described in section 1003(g)(2) and shall be used consistent with the requirements of section 1003(g), except that State and local educational agencies may use such funds (and funds appropriated for section 1003(g) under the American Recovery and Reinvestment Act) to serve any school eligible to receive assistance under part A of title I that has not made adequate yearly progress for at least 2 years or is in the State’s lowest quintile of performance based on proficiency rates and, in the case of secondary schools, priority shall be given to those schools with graduation rates below 60 percent:<sup>9</sup> *Provided further*, That notwithstanding section 1003(g)(5)(A), each State educational agency may establish a maximum subgrant size of not

more than \$2,000,000 for each participating school applicable to such funds and to the funds appropriated for section 1003(g) under the American Recovery and Reinvestment Act:<sup>10</sup>

*Provided further*, That the ESEA title I, part A funds awarded to local educational agencies under the American Recovery and Reinvestment Act of 2009 for fiscal year 2009 shall not be considered for the purpose of calculating hold-harmless amounts under subsections 1122(c) and 1125A(g)(3) in making allocations under title I, part A for fiscal year 2010 and succeeding years and, notwithstanding section 1003(e), shall not be considered for the purpose of reserving funds under section 1003(a):<sup>11</sup> *Provided further*, That \$250,000,000 shall be available under section 1502 of the ESEA for a comprehensive literacy development and education program to advance literacy skills, including pre-literacy skills, reading, and writing, for students from birth through grade 12, including limited-English-proficient students and students with disabilities, of which one-half of 1 percent shall be reserved for the Secretary of the Interior for such a program at schools funded by the Bureau of Indian Education, one-half of 1 percent shall be reserved for grants to the outlying areas for such a program, \$10,000,000 shall be reserved for formula grants to States based on each State's relative share of funds under part A of title I of the ESEA for fiscal year 2009 (excluding funds awarded under the American Recovery and Reinvestment Act of 2009), except that no State shall receive less than \$150,000, to establish or support a State Literacy Team with expertise in literacy development and education for children from birth through grade 12 to assist the State in developing a comprehensive literacy plan, up to 5 percent may be reserved for national activities, and the remainder shall be used to award competitive grants to State educational agencies for such a program, of which a State educational agency may reserve up to 5 percent for State leadership activities, including technical assistance and training, data collection, reporting, and administration, and shall subgrant not less than 95 percent to local educational agencies or, in the case of early literacy, to local educational agencies or other nonprofit providers of early childhood education that

partner with a public or private nonprofit organization or agency with a demonstrated record of effectiveness in improving the early literacy development of children from birth through kindergarten entry and in providing professional development in early literacy, giving priority to such agencies or other entities serving greater numbers or percentages of disadvantaged children:<sup>12</sup> *Provided further*, That the State educational agency shall ensure that at least 15 percent of the subgranted funds are used to serve children from birth through age 5, 40 percent are used to serve students in kindergarten through grade 5, and 40 percent are used to serve students in middle and high school including an equitable distribution of funds between middle and high schools:<sup>13</sup> *Provided further*, That eligible entities receiving subgrants from State educational agencies shall use such funds for services and activities that have the characteristics of effective literacy instruction through professional development, screening and assessment, targeted interventions for students reading below grade level and other research based methods of improving classroom instruction and practice.<sup>14</sup> *(Department of Education Appropriations Act, 2010.)*

#### NOTES

All language in this account for programs authorized by the Elementary and Secondary Education Act is deleted because the Administration is proposing reauthorizing legislation for that Act. When new authorizing language is enacted, resources will be requested.

Each language provision that is followed by a footnote is explained in the Analysis of Language Provisions and Changes document, which follows the appropriation language.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Analysis of Language Provisions and Changes

Language Provision	Explanation
<sup>1</sup> [Education for the Disadvantaged] <u>Accelerating Achievement and Ensuring Equity</u>	This language changes the title of this account from Education for the Disadvantaged to Accelerating Achievement and Ensuring Equity
<sup>2</sup> [... of which \$4,954,510,000 shall become available on July 1, 2010, and shall remain available through September 30, 2011, and of which \$10,841,176,000 shall become available on October 1, 2010, and shall remain available through September 30, 2011, for academic year 2010–2011:]	This language provides for funds to be appropriated on a forward-funded basis for the Title I Basic Grants, Concentration Grants, Targeted Grants, Education Finance Incentive Grants, School Improvement Grants, State Agency Migrant and Neglected and Delinquent, and Striving Readers programs. The language also provides that a portion of the funds is available in an advance appropriation that becomes available for obligation on October 1 of the following fiscal year.
<sup>3</sup> [ <i>Provided</i> , That \$6,597,946,000 shall be for basic grants under section 1124 of the ESEA:]	This language establishes a specific funding level for Title I Basic Grants.
<sup>4</sup> [ <i>Provided further</i> , That up to \$4,000,000 of these funds shall be available to the Secretary of Education on October 1, 2009, to obtain annually updated local educational-agency-level census poverty data from the Bureau of the Census:]	This language makes available, on a current-funded basis, \$4 million from Basic Grant funds to support continued work by the Census Bureau to update LEA-level poverty data.
<sup>5</sup> [ <i>Provided further</i> , That \$1,365,031,000 shall be for concentration grants under section 1124A:]	This language establishes a specific funding level for Title I Concentration Grants.
<sup>6</sup> [ <i>Provided further</i> , That \$3,264,712,000 shall be for targeted grants under section 1125 of the ESEA:]	This language establishes a specific funding level for Title I Targeted Grants.
<sup>7</sup> [ <i>Provided further</i> , That \$3,264,712,000 shall be for education finance incentive grants under section 1125A of the ESEA:]	This language establishes a specific funding level for Title I Education Finance Incentive Grants.
<sup>8</sup> [ <i>Provided further</i> , That \$9,167,000 shall be to carry out sections 1501 and 1503 of the ESEA:]	This language establishes a specific funding level for Title I Evaluation.
<sup>9</sup> [ <i>Provided further</i> , That \$545,633,000 shall be	This language expands eligibility for

**ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

**Analysis of Language Provisions and Changes**

Language Provision	Explanation
<p>available for school improvement grants under section 1003(g) of the ESEA, which shall be allocated by the Secretary through the formula described in section 1003(g)(2) and shall be used consistent with the requirements of section 1003(g), except that State and local educational agencies may use such funds (and funds appropriated for section 1003(g) under the American Recovery and Reinvestment Act) to serve any school eligible to receive assistance under part A of title I that has not made adequate yearly progress for at least 2 years or is in the State’s lowest quintile of performance based on proficiency rates and, in the case of secondary schools, priority shall be given to those schools with graduation rates below 60 percent:]</p>	<p>participation in the School Improvement Grants (SIG) program to schools that are eligible for but do not receive Title I Part A funds and meet certain requirements. This language covers both the funds appropriated for fiscal year 2010 and the fiscal year 2009 American Reinvestment and Recovery Act SIG appropriation. The language also establishes a priority for secondary schools that have graduate rates below 60 percent.</p>
<p><sup>10</sup> [Provided further, That notwithstanding section 1003(g)(5)(A), each State educational agency may establish a maximum subgrant size of not more than \$2,000,000 for each participating school applicable to such funds and to the funds appropriated for section 1003(g) under the American Recovery and Reinvestment Act:]</p>	<p>This language overrides the statutory cap on the maximum per-school subgrant size for subgrants made by States under the School Improvement Grants program.</p>
<p><sup>11</sup> [Provided further, That the ESEA title I, part A funds awarded to local educational agencies under the American Recovery and Reinvestment Act of 2009 for fiscal year 2009 shall not be considered for the purpose of calculating hold-harmless amounts under subsections 1122(c) and 1125A(g)(3) in making allocations under title I, part A for fiscal year 2010 and succeeding years and, notwithstanding section 1003(e), shall not be considered for the purpose of reserving funds under section 1003(a):]</p>	<p>This language specifies that the funds that local educational agencies were awarded for fiscal year 2009 under the American Recovery and Reinvestment Act (ARRA) will not be used when calculating recipients’ hold-harmless amounts for fiscal year 2010 or for any other future years. The language also specifies that States are not to consider the ARRA allocations when reserving Title I, Part A funds for school improvement under section 10003(e); without the provision States would not be able to reduce the allocations for any local educational agency (LEA) experiencing a reduction in 2010 (measured against the sum of 2009 regular and ARRA allocations LEAs received in 2009), and, thus, would not be able to</p>

**ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

**Analysis of Language Provisions and Changes**

Language Provision	Explanation
	reserve any funds for school improvement.
<p><sup>12</sup> [<i>Provided further</i>, That \$250,000,000 shall be available under section 1502 of the ESEA for a comprehensive literacy development and education program to advance literacy skills, including pre-literacy skills, reading, and writing, for students from birth through grade 12, including limited-English-proficient students and students with disabilities, of which one-half of 1 percent shall be reserved for the Secretary of the Interior for such a program at schools funded by the Bureau of Indian Education, one-half of 1 percent shall be reserved for grants to the outlying areas for such a program, \$10,000,000 shall be reserved for formula grants to States based on each State’s relative share of funds under part A of title I of the ESEA for fiscal year 2009 (excluding funds awarded under the American Recovery and Reinvestment Act of 2009), except that no State shall receive less than \$150,000, to establish or support a State Literacy Team with expertise in literacy development and education for children from birth through grade 12 to assist the State in developing a comprehensive literacy plan, up to 5 percent may be reserved for national activities, and the remainder shall be used to award competitive grants to State educational agencies for such a program, of which a State educational agency may reserve up to 5 percent for State leadership activities, including technical assistance and training, data collection, reporting, and administration, and shall subgrant not less than 95 percent to local educational agencies or, in the case of early literacy, to local educational agencies or other nonprofit providers of early childhood education that partner with a public or private nonprofit organization or agency with a demonstrated record of effectiveness in improving the early literacy development of children from birth through kindergarten entry and in providing professional development in early literacy,</p>	<p>This language provides funding for a restricted Striving Readers program that will serve students from birth through grade 12; provides a portion of the funds for the Department of Interior/Bureau of Indian Education; requires a portion of the funds be distributed to States through a formula to support State Literacy Teams and establishes a minimum formula award amount; establishes the amount the Department may reserve for national activities; and establishes the amount the Department must distribute through competitive awards to States. The language also specifies the amount of funds that States receiving competitive awards may reserve for State leadership activities and the amount of funds that they award through subgrants to local educational agencies or to nonprofit organizations that provide early childhood education services.</p>

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Analysis of Language Provisions and Changes

Language Provision	Explanation
giving priority to such agencies or other entities serving greater numbers or percentages of disadvantaged children:	
<sup>13</sup> [ <i>Provided further</i> , That the State educational agency shall ensure that at least 15 percent of the subgranted funds are used to serve children from birth through age 5, 40 percent are used to serve students in kindergarten through grade 5, and 40 percent are used to serve students in middle and high school including an equitable distribution of funds between middle and high schools:]	This language establishes that States must use particular amounts of Striving Readers funds to support projects serving children in specific age groups or grades.
<sup>14</sup> [ <i>Provided further</i> , That eligible entities receiving subgrants from State educational agencies shall use such funds for services and activities that have the characteristics of effective literacy instruction through professional development, screening and assessment, targeted interventions for students reading below grade level and other research based methods of improving classroom instruction and practice.]	This language establishes requirements for the types of activities that entities may conduct with their Striving Readers funds.

**ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

**Amounts Available for Obligation  
(\$000s)**

	2009	2010	2011
<b>Discretionary authority:</b>			
Annual appropriation.....	\$15,760,086	\$15,914,666	\$15,912,193
Recovery Act supplemental (P.L. 111-5).....	13,000,000	0	0
Transfer to <u>Career, Technical and Adult Education</u> for Adult Education State Grants (P.L. 111-32).....	<u>-118</u>	<u>0</u>	<u>0</u>
Subtotal, adjusted discretionary budget authority .....	28,759,968	15,914,666	15,912,193
<b>Comparative transfers to <u>Education Improvement Programs</u> for:</b>			
Early Reading First .....	-112,549	0	0
Striving Readers.....	-35,371	-250,000	0
Even Start .....	-66,454	-66,454	0
Literacy Through School Libraries .....	-19,145	-19,145	0
High School Graduation Initiative.....	0	-50,000	0
Comparative transfers to <u>Higher Education</u> for Special Programs for Migrant Students .....	-34,168	-36,668	0
Comparative transfers from <u>Education Improvement Programs</u> for Homeless Children and Youth Education.....	65,427	65,427	0
Comparative transfers from <u>Education Improvement Programs</u> , Recovery Act for Homeless Children and Youth Education, .....	<u>70,000</u>	<u>0</u>	<u>0</u>
Subtotal, comparable discretionary appropriation.....	28,627,708	15,557,826	15,912,193
Advance for succeeding fiscal year.....	-10,841,176	-10,841,176	-11,681,897
Advance from prior year .....	<u>7,934,756</u>	<u>10,841,176</u>	<u>10,841,176</u>
Subtotal, comparable budget authority .....	25,721,288	15,557,826	15,071,472

**ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

**Amounts Available for Obligation  
(\$000s)**

	2009	2010	2011
Unobligated balance, start of year .....	153,578	701,370	0
Unobligated balance, start of year, Recovery Act.....	0	3,000,000	0
Recovery of prior-year obligations.....	71	0	0
Unobligated balance, expiring .....	-48	0	0
Unobligated balance, end of year.....	-701,370	0	0
Unobligated balance, end of year, Recovery Act .....	-3,000,000	0	0
Comparative transfers:			
Unobligated balance, start of year to Education Improvement Programs for:			
Striving Readers.....	0	-35,148	0
Even Start .....	0	-3,323	0
Unobligated balance, start of year from Education Improvement Programs for Homeless Children and Youth Education .....	0	135	0
Unobligated balance, end of year to Education Improvement Programs for:			
Striving Readers.....	35,148	0	0
Even Start .....	3,323	0	0
Unobligated balance, end of year from Education Improvement Programs for Homeless Children and Youth Education .....	<u>-135</u>	<u>0</u>	<u>0</u>
 Total, direct obligations .....	 22,211,855	 19,220,860	 15,071,472

NOTE: The Administration is proposing to reauthorize the Elementary and Secondary Education Act. FY 2011 funds for affected programs are proposed for later transmittal and will be requested once the legislation is reauthorized.

**ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

**Obligations by Object Classification**  
(\$000s)

	2009	2010	2011
Printing and reproduction .....	\$817	\$1,000	\$625
Other contractual services and supplies:			
Advisory and assistance services .....	8,351	4,144	2,144
Other services .....	29,820	44,324	17,696
Peer review .....	2	0	2
Purchases of good and services from other government accounts .....	2,000	2,000	1,000
Research development contracts .....	4,000	5,779	1,242
Operation and maintenance of equipment .....	53	0	0
Subtotal, other contractual services.....	44,226	56,247	22,084
Grants, subsidies, and contributions .....	12,166,811	16,163,613	15,048,763
Grants, subsidies, and contributions, Recovery Act .....	10,000,000	3,000,000	0
Interest and dividends .....	1	0	0
Total, direct obligations .....	22,211,855	19,220,860	15,071,472

NOTE: The Administration is proposing to reauthorize the Elementary and Secondary Education Act. FY 2011 funds for affected programs are proposed for later transmittal and will be requested once the legislation is reauthorized.

**ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

**Summary of Changes**  
(\$000s)

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2010 .....	\$15,557,826
2011 .....	<u>15,912,193</u>
Net change .....	+354,367

NOTE: The Administration is proposing to reauthorize the Elementary and Secondary Education Act. FY 2011 funds for affected programs are proposed for later transmittal and will be requested once the legislation is reauthorized.

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	<u>2010 base</u>	<u>Change from base</u>
<b>Increases:</b>		
<u>Program:</u>		
Increase funding for School Turnaround Grants (formerly School Improvement Grants) to support the Administration's commitment to help States and LEAs turn around the Nation's lowest-performing schools over the next 5 years. The request would fund a reauthorized program that would require States and LEAs to use most funds to implement one of four school specific intervention models in schools that are in the bottom 5 percent of schools in the State in terms of student achievement or, in the case of secondary schools, have graduation rates below 60 percent.	\$545,633	+\$354,367

**ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

**Authorizing Legislation  
(\$000s)**

Activity	2010 Authorized	2010 Estimate	2011 Authorized	2011 Request
Grants to LEAs (ESEA-1-A):				
LEA grants formulas:	0 <sup>1</sup>		To be determined <sup>1</sup>	
Basic grants (Section 1124)	(2)	\$6,597,946	(2)	\$6,597,946
Concentration grants (Section 1124A)	(2)	1,365,031	(2)	1,365,031
Targeted grants (Section 1125)	(2)	3,264,712	(2)	3,264,712
Education finance incentive grants (Section 1125A)	0 <sup>1</sup>	3,264,712	To be determined <sup>1</sup>	3,264,712
School turnaround grants (ESEA Section 1003(g))	0 <sup>1</sup>	545,633	To be determined <sup>1</sup>	900,000
Evaluation (ESEA I-E-1501 and 1503)	0 <sup>1</sup>	9,167	To be determined <sup>1</sup>	9,167
State agency programs:				
Migrant (ESEA I-C)	0 <sup>1</sup>	394,771	To be determined <sup>1</sup>	394,771
Neglected and delinquent (ESEA I-D)	0 <sup>1</sup>	50,927	To be determined <sup>1</sup>	50,927
Homeless children and youth education (McKinney-Vento Act, Title VII-B)	0 <sup>1</sup>	65,427	To be determined <sup>1</sup>	65,427
Total appropriation		15,557,826		15,912,193
Portion of request subject to reauthorization				15,912,193

NOTE: The Administration is proposing to reauthorize the Elementary and Secondary Education Act. FY 2011 funds for affected programs are proposed for later transmittal and will be requested once the legislation is reauthorized.

<sup>1</sup> The program is authorized in fiscal year 2010 through appropriations language. Reauthorizing language is sought for FY 2011.

<sup>2</sup> Of the total funds appropriated for Grants to LEAs, an amount equal to the fiscal year 2001 appropriation of \$7,397,690 thousand is to be distributed through the Basic Grants formula. An amount equal to the fiscal year 2001 appropriation of \$1,365,031 thousand is to be distributed through the Concentration Grants formula. Amounts appropriated in excess of the fiscal year 2001 appropriation are to be distributed through the Targeted Grants formula.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Appropriations History (\$000s)

	Budget Estimate to Congress	House Allowance	Senate Allowance	Appropriation
2002	\$11,032,621	\$12,571,400	\$11,926,400	\$12,346,900
(2002 Advance for 2003)	0	(6,758,300)	(6,953,300)	(7,383,301)
2003	13,388,330	12,936,900	18,178,400	13,774,039
(2003 Advance for 2004)	(7,383,301)	(6,883,301)	(8,627,301)	(9,027,301)
2003 Amended	0	0	0	2,244,000
(2003 Amended Advance for 2004)	0	0	0	(-2,444,000)
2003 Supplemental	0	0	0	4,353
2004	14,184,000	14,507,000	14,107,356	14,446,343
(2004 Advance for 2005)	(7,383,301)	(7,383,301)	(7,383,301)	(7,383,301)
2005	15,205,168	15,515,735	15,500,684	14,843,974
(2005 Advance for 2006)	(7,383,301)	(7,383,301)	(7,383,301)	(7,383,301)
2006	16,431,473	14,728,735	14,532,785	14,481,161
(2006 Advance for 2007)	(7,383,301)	(7,383,301)	(7,383,301)	(7,383,301)
2007	16,469,541	N/A <sup>1</sup>	N/A <sup>1</sup>	14,725,593 <sup>1</sup>
(2007 Advance for 2008)	(7,383,301)			(7,383,301) <sup>1</sup>
2008	16,689,090	15,969,818	15,867,778	15,489,476
(2008 Advance for 2009)	(7,383,301)	(8,136,218)	(8,867,301)	(7,934,756)
2009	16,917,059	15,788,285 <sup>2</sup>	15,735,884 <sup>2</sup>	15,760,086
(2009 Advance for 2010)	(7,934,756)	(10,841,176)	(8,893,756)	(10,841,176)
Recovery Act Supplemental (PL 111-5)	0	13,000,000	12,400,000	13,000,000
2010	16,431,632	15,938,215	15,891,132 <sup>3</sup>	15,914,666
(2010 Advance for 2011)	(10,841,176)	(10,841,176)	(10,841,176)	(10,841,176)
2011	15,912,193			
(2011 Advance for 2012)	(11,681,897)			

<sup>1</sup> This account operated under a full-year continuing resolution (P.L. 110-5). House and Senate Allowance amounts are shown as N/A (Not Available) because neither body passed a separate appropriations bill.

<sup>2</sup>The levels for the House and Senate allowances reflect action on the regular annual 2009 appropriations bill, which proceeded in the 110<sup>th</sup> Congress only through the House Subcommittee and the Senate Committee.

<sup>3</sup>The level for the Senate allowance reflects Committee action only.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Significant Items in FY 2010 Appropriations Reports

#### School Improvement Grants

Senate: The Committee requests that the Department assist States in encouraging LEAs to use their school improvement funds on those programs that are proven to be effective in rigorous research.

Response: On December 10, 2009, the Department published regulations for the School Improvement Grants program (74 FR 65618) that require States to use most School Improvement Grants funding to support LEAs in implementing one of four rigorous school intervention models in their persistently lowest-performing schools. These models generally involve either fundamental changes in the staffing and operation of a school or, in the case of the school closure model, closing the school and enrolling its students in a higher-achieving school. The turnaround model, for example, involves replacing the principal and rehiring no more than 50 percent of a school's staff, adopting a new governance structure, and implementing a research-based instructional program. The restart model requires an LEA to place a school under the management of a charter school operator, a charter management organization, or an education management organization that has been selected through a rigorous review process. The transformation model addresses four specific areas critical to transforming persistently lowest-performing schools, including replacing the principal and ineffective teachers, comprehensive instructional reform, increasing learning time, and expanded operational flexibility. The Department believes that these models, combined with the very large \$3 billion supplemental investment that Congress made in the School Improvement Grants program in fiscal year 2009 through the American Recovery and Reinvestment Act, hold great promise for bringing about fundamental and far-reaching changes that will improve student achievement in America's worst schools.

DEPARTMENT OF EDUCATION FISCAL YEAR 2011 PRESIDENT'S REQUEST

(in thousands of dollars)						Change from	
Account, Program and Activity	Category Code	2009 Appropriation	2010 Appropriation	2011 President's Budget	2010 Appropriation Amount	Percent	
<b>Accelerating Achievement and Ensuring Equity</b>							
1. College- and career-ready students (ESEA I-A):							
(a) Basic grants (section 1124)							
Annual appropriation	D	3,651,225	3,149,801	2,309,080	(840,721)	-26.7%	
Advance for succeeding fiscal year	D	2,946,721	3,448,145	4,288,868	840,721	24.4%	
Subtotal		6,597,946	6,597,946	6,597,946	0	0.0%	
(b) Concentration grants (section 1124A)							
Annual appropriation	D	0	0	0	0	—	
Advance for succeeding fiscal year	D	1,365,031	1,365,031	1,365,031	0	0.0%	
Subtotal		1,365,031	1,365,031	1,365,031	0	0.0%	
(c) Targeted grants (section 1125)							
Annual appropriation	D	0	250,712	250,712	0	0.0%	
Advance for succeeding fiscal year	D	3,264,712	3,014,000	3,014,000	0	0.0%	
Subtotal		3,264,712	3,264,712	3,264,712	0	0.0%	
(d) Education finance incentive grants (section 1125A)							
Annual appropriation	D	0	250,712	250,712	0	0.0%	
Advance for succeeding fiscal year	D	3,264,712	3,014,000	3,014,000	0	0.0%	
Subtotal		3,264,712	3,264,712	3,264,712	0	0.0%	
2. School turnaround grants (ESEA section 1003(g))							
3. Evaluation (ESEA sections 1501 and 1503)							
4. State agency programs:							
(a) Migrant student education (ESEA I-C)							
Annual appropriation	D	14,492,401	14,492,401	14,492,401	0	0.0%	
Advance for succeeding fiscal year	D	3,651,225	2,810,504	2,810,504	(840,721)	-23.0%	
Subtotal		18,143,626	17,302,905	17,302,905	(840,721)	-4.6%	
(b) Neglected and delinquent children and youth education (ESEA I-D)							
Annual appropriation	D	545,633	545,633	900,000	354,367	64.9%	
Advance for succeeding fiscal year	D	9,167	9,167	9,167	0	0.0%	
Subtotal		554,800	554,800	909,167	354,367	63.9%	
5. Other programs:							
(a) Migrant student education (ESEA I-C)							
Annual appropriation	D	394,771	394,771	394,771	0	0.0%	
Advance for succeeding fiscal year	D	50,427	50,427	50,427	0	0.0%	
Subtotal		445,198	445,198	445,198	0	0.0%	

NOTES: Category Codes are as follows: D = discretionary program; M = mandatory program.

Programs authorized by the Elementary and Secondary Education Act for which funds are requested in 2011 or that are proposed for consolidation in 2011 require new authorizing legislation.

Multiple programs affected by the proposed ESEA reauthorization have been renamed and moved among accounts, some of which have also been renamed. Totals for fiscal years 2009 and 2010 have been adjusted to be comparable to the fiscal year 2011 President's request.

DEPARTMENT OF EDUCATION FISCAL YEAR 2011 PRESIDENT'S REQUEST

(In thousands of dollars)

Account, Program and Activity	Category Code	2009 Appropriation	2010 Appropriation	2011 President's Budget	Change from 2010 Appropriation Amount	Percent
<b>Accelerating Achievement and Ensuring Equity (continued)</b>						
5. Homeless children and youth education (MVHAA Title VII-B)	D	65,427	65,427	65,427	0	0.0%
Total Appropriation	D	15,557,826	15,557,826	15,912,193	354,367	2.3%
Total Budget authority	D	12,651,406	15,557,826	15,071,472	(486,354)	-3.1%
Current <sup>1</sup>		4,716,650	4,716,650	4,230,296	(486,354)	-10.3%
Prior year's advance		7,934,756	10,841,176	10,841,176	0	0.0%
Outlays	D	15,077,000	16,013,000	15,613,000	(400,000)	-2.5%

**Education for the Disadvantaged, Recovery Account**

1. Grants to local educational agencies (ESEA I-A):						
(a) Targeted grants (section 1125)	D	5,000,000	0	0	0	---
(b) Education finance incentive grants (section 1125A)	D	5,000,000	0	0	0	---
Subtotal		10,000,000	0	0	0	---
2. School improvement grants (ESEA section 1003(g))	D	3,000,000	0	0	0	---
Total	D	13,000,000	0	0	0	---
Outlays	D	804,000	6,214,000	5,366,000	(848,000)	-13.6%

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Summary of Request

The programs in the Accelerating Achievement and Ensuring Equity (formerly Education for the Disadvantaged) account provide the foundation for school improvement efforts needed to ensure that all children receive a high-quality education authorized under the Elementary and Secondary Education Act. The Administration is requesting a total of \$15.9 billion in fiscal year 2011 for the programs in this account.

All of the programs in this account are authorized by the Elementary and Secondary Education Act and are, therefore, subject to reauthorization this year. The budget request assumes that these programs will be implemented in fiscal year 2011 under reauthorized legislation, and the request is based on the Administration's reauthorization proposal.

The \$14.5 billion request for the reauthorized **College- and Career-Ready Students** (formerly the Title I Grants to Local Educational Agencies (LEAs) program) would support local programs aimed at helping more than 20 million students, nearly all of them from low-income families, make progress toward the new college- and career-ready standards that would be required by the Administration's reauthorization proposal. The reauthorized program also would support a more differentiated approach to measuring school progress and identifying schools in need of improvement, reward highly effective schools and LEAs, require implementation of rigorous school intervention models in the lowest-performing 5 percent of Title I schools, strengthen LEA improvement, help ensure an equitable distribution of effective teachers across high- and low-poverty schools. The reauthorization proposal would also align State support for Title I, Part A with the four assurances in the American Recovery and Reinvestment Act (stronger standards and assessments, more effective teachers and leaders, improved data systems, and turning around low-performing schools).

The 2011 request also includes \$900 million for the **School Turnaround Grants** (formerly School Improvement Grants) program, an increase of \$354.4 million that would support the Administration's commitment to help States and LEAs turn around the Nation's lowest-performing schools over the next 5 years. The request would fund a reauthorized program that would require States and LEAs to use most funds to implement one of four school intervention models (Turnaround, Restart, School Closure, and Transformation) in each of the schools that (1) are in the bottom 5 percent of schools in the State in terms of student achievement or (2) in the case of secondary schools, have graduation rates below 60 percent. The reauthorized program also would include a national activities authority that would allow the Department to build nationwide school turnaround capacity by awarding funds to outside entities with a demonstrated ability to turn around low-performing schools.

The request would level-fund the other programs in this account, including \$394.8 million for **Migrant Student Education**, \$50.4 million for **Neglected and Delinquent Children and Youth Education**, and \$65.4 for **Homeless Children and Youth Education**. The request also would maintain support for **Title I Evaluation** at \$9.2 million.

**ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

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**College- and career-ready students**

(Elementary and Secondary Education Act of 1965, Title I, Part A)

FY 2011 Authorization (\$000s): To be determined<sup>1</sup>

Budget authority (\$000s):

	<u>2010</u>	<u>2011</u>	<u>Change</u>
LEA Grants Formulas:			
Basic grants	\$6,597,946	\$6,597,946	0
Concentration grants	1,365,031	1,365,031	0
Targeted grants	3,264,712	3,264,712	0
Education finance incentive grants	<u>3,264,712</u>	<u>3,264,712</u>	<u>0</u>
Total, Grants to LEAs	14,492,401	14,492,401	0
Annual appropriation	3,651,225	2,810,504	-\$840,721
Advance for succeeding fiscal year	10,841,176	11,681,897	+840,721

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<sup>1</sup> The GEPA extension expired September 30, 2008. The program is authorized in FY 2010 through appropriations language. Reauthorizing legislation is sought for FY 2011.

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**PROGRAM DESCRIPTION**

Title I Grants to Local Educational Agencies (LEAs) provide supplemental education funding, especially in high-poverty areas, for local programs that provide extra academic support to help raise the achievement of students at risk of educational failure or, in the case of schoolwide programs, to help all students in high-poverty schools meet challenging State academic standards. The program serves an estimated 20 million students in more than 90 percent of school districts and more than half of all public schools—including two-thirds of the Nation’s elementary schools. Title I Grants to LEAs were first authorized as part of the original Elementary and Secondary Education Act of 1965 (ESEA).

Title I Grants to LEAs give school districts and schools considerable flexibility in using Federal education dollars to support instructional strategies and methods that best meet local needs. Title I schools help students reach challenging State standards through one of two models: “targeted assistance” that supplements the regular education program for individual children deemed most in need of special assistance, or a “schoolwide” approach that allows schools to use Title I funds—in combination with other Federal, State, and local funds—to improve the overall instructional program for all children in a school. Schools in which poor children account for at least 40 percent of enrollment are eligible to operate schoolwide programs, and an estimated 33,000 schools, or about 64 percent of all Title I schools, currently operate these programs. In the 2004-2005 school year, these schoolwide programs accounted for an

## **ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

### **College- and career-ready students**

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estimated 87 percent of participating students and received two-thirds of the Title I Grants to LEAs funding allocated to schools.

The ESEA encourages the use of Title I funds for effective educational practices. Both schoolwide and targeted assistance programs must employ effective methods and instructional strategies grounded in scientifically based research. Schools are required to give primary consideration to arrangements that supplement the regular instruction that students would receive in the absence of Title I funds, including by extending the school day, week, or year. Schools also must provide ongoing professional development for staff working with disadvantaged students and carry out activities designed to increase parental involvement.

Title I Grants to LEAs provides the foundation for the ESEA's accountability system, which emphasizes State and local responsibilities in the areas of standards and assessments, measuring progress, supporting school improvement, and improving teacher quality.

### **Standards and Assessments**

Under Title I, each State was required to create a system of academic standards and aligned assessments, and school districts must integrate these standards into local instruction. The State systems must include challenging content standards that describe what all students should know and be able to do in at least reading (or language arts) and mathematics, and academic achievement standards that describe three levels of proficiency (basic, proficient, and advanced) for meeting the State content standards. In addition, States were required to develop science standards by the end of the 2005-2006 school year.

The States also were required to create or adopt academic assessments that measure the achievement of all students against their standards. These assessments must be valid and reliable, include measures that assess higher-order thinking skills and understanding of challenging content, and enable achievement results to be disaggregated by major racial and ethnic group, gender, and poverty, disability, English proficiency, and migrant status.

Beginning with the 2005-2006 school year, States have been required to administer their reading and mathematics assessments annually to all students in grades 3-8 and once in high school in reading and math. States also must assess annually English proficiency for English learner (EL) students and were required to add science assessments during the 2007-2008 school year (testing once in each of three grade spans specified in the law). Finally, to provide a uniform benchmark for comparing student achievement gains nationwide, the ESEA required biennial State participation in the reading and mathematics assessments for 4<sup>th</sup>- and 8<sup>th</sup>-graders conducted by the National Assessment of Educational Progress.

### **Adequate Yearly Progress**

State assessments are used to hold LEAs and schools accountable for making adequate yearly progress (AYP) toward State standards for proficiency in reading and math, with the goal of ensuring that all students are proficient in both subjects by the 2013-2014 school year. For a school to make AYP, all students, as well as those in statutorily specified groups—economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and EL students—must meet the same annual statewide measurable objectives for improved

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### College- and career-ready students

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achievement. However, the statute includes a “safe harbor” exception under which a school can be considered to have made AYP if the percentage of students in a group not reaching the proficient level decreases by at least 10 percent from the previous year and the school makes progress on the “other academic indicator” included in the State’s AYP definition.

The Department has made a number of changes, primarily through regulation, to give States additional flexibility in making AYP determinations. For example, in December 2003, the Department announced a final regulation permitting States, school districts, and schools to include in AYP calculations the “proficient” scores of students with the most significant cognitive disabilities who take assessments based on alternate achievement standards. The number of those proficient scores included in AYP determinations may not exceed 1 percent of all students in the grades tested (about 9 percent of students with disabilities). In 2007, the Department also provided additional flexibility permitting States to count for AYP purposes the “proficient” scores of a limited number of students with disabilities who take assessments based on modified achievement standards. The number of such “proficient” scores is capped at 2 percent of all students tested. These regulations are intended to give schools and teachers credit for raising the achievement of students with disabilities.

In addition, the Department has extended flexibility to States regarding the determination of AYP for EL students, allowing States to exclude from AYP calculations the assessment results for EL students in their first year of enrollment in U.S. schools. States also may include in the EL subgroup for up to 2 years those students who were EL but who have attained English proficiency.

Finally, the Department has taken steps to allow States to incorporate individual academic growth into their AYP systems, beginning with a pilot growth model initiative in late 2005 and in a final regulation published in late 2008 permitting all States to apply for approval to add growth models to AYP determinations. Fifteen States currently include growth models in their AYP definitions.

### **Accountability and School Improvement**

Title I accountability and school improvement provisions require progressively tougher improvement measures over time for schools that continue to miss AYP targets. In addition, LEAs must immediately specific strategies for students attending schools identified for improvement, including public school choice and supplemental educational services (SES) options.

#### School Improvement

LEAs must identify for school improvement any school that does not make AYP for 2 consecutive years. Identified schools must develop 2-year improvement plans that incorporate strategies from scientifically based research on how to strengthen instruction in the core academic subjects and address the specific issues that caused the school to be identified for improvement. These plans must include the annual reservation of at least 10 percent of the school’s Part A allocation for professional development that directly addresses the problems that led to identification for improvement.

## **ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

### **College- and career-ready students**

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States must reserve 4 percent of their Part A allocations for school improvement purposes and are required to distribute 95 percent of these funds to LEAs with schools identified for improvement, corrective action, or restructuring. In reserving school improvement funds, States are not permitted to reduce an LEA's allocation below its prior-year level, a restriction that may prevent a State from reserving the full 4 percent for school improvement. Additional funding for school improvement is provided through the separately authorized section 1003(g) School Improvement Grants program.

The ESEA also requires annual State and LEA report cards informing parents about how well their child's school is performing against State standards. In addition, LEAs must annually notify parents of their right to receive information on the professional qualifications of their child's teachers.

#### **Corrective Action**

If an identified school does not make AYP for 2 additional years (4 years of not making AYP), the LEA must take corrective action. Corrective actions may include replacing school staff responsible for the continued inability to make AYP, comprehensive implementation of a new curriculum (including professional development), and reorganizing the school internally. LEAs must continue to provide choice and SES options to students in schools identified for corrective action.

#### **Restructuring**

If a school does not respond to corrective action, the LEA must begin planning for restructuring, which involves making a fundamental change such as closing the school and reopening it as a public charter school, replacing all or most of the school's staff, turning operation of the school over to a private management company with a demonstrated record of effectiveness, or any other major restructuring of the school's governance arrangement. The LEA must implement the restructuring plan no later than the beginning of the following school year if the school still does not make AYP (i.e., 6 years of not making AYP), and must continue to provide choice and SES options to students attending such schools.

### **Qualifications for Teachers and Paraprofessionals**

The ESEA requires LEAs to ensure that all Title I teachers hired after the beginning of the 2002-2003 school year are "highly qualified." For new teachers, this means being certified by the State (which may be through an alternative route to certification), holding at least a bachelor's degree, and passing a rigorous State test on subject knowledge and teaching skills. Veteran teachers also must possess a bachelor's degree and be fully certified or licensed by the State, and must either pass the State test on subject-matter knowledge or demonstrate subject-matter competency through a "high, objective, uniform State standard of evaluation." LEAs must use at least 5 percent of their Part A allocations to ensure that all teachers are highly qualified. States were required to develop plans with annual measurable objectives that would ensure that all teachers teaching in core academic subjects were highly qualified by the end of the 2005-06 school year, and both States and LEAs must report annually on progress toward this goal.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### College- and career-ready students

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In 2004, the Department provided additional flexibility to States and school districts working to meet the highly qualified teacher (HQT) requirements. First, rural teachers who teach more than one academic subject and who are highly qualified in at least one subject were given 3 more years to become highly qualified in the additional subjects they teach. Second, States may permit science teachers to demonstrate that they are highly qualified either under a general science certification or in an individual field such as biology or chemistry. And, third, States may develop a single, streamlined process for determining that veteran multi-subject teachers are highly qualified.

### Allocations

Title I, Part A funds are allocated through four separate formulas. All four formulas are based on the number of children from low-income families in each LEA, and each formula also includes such factors as the LEA's poverty rate and State per-pupil expenditures for education. Other children counted for allocation purposes ("formula children") include children in families above the poverty line receiving Temporary Assistance for Needy Families (the main Federal-State welfare program), children in foster homes, and children in local institutions for neglected and delinquent children. Eligible LEAs receive funding under one or more of the formulas, but the final outcome of the Federal-State allocation process is a single Title I, Part A award to each qualifying LEA.

Three formulas are based primarily on the number of poor children in each LEA, weighted by State per-pupil expenditures for education. Basic Grants are awarded to school districts with at least 10 poor children who make up more than 2 percent of enrollment and, thus, spread funds thinly across nearly all LEAs. Concentration Grants provide additional funds to LEAs in which the number of poor children exceeds 6,500 or 15 percent of the total school-age population. The Targeted Grants formula weights child counts to make higher payments to school districts with high numbers or percentages of poor students. To be eligible for Targeted Grants, an LEA must have at least 10 formula children counted for Basic Grant purposes, and the count of formula children must equal at least 5 percent of the population aged 5-17.

In addition, the statute includes a separately authorized and funded Education Finance Incentive Grants (EFIG) formula. This formula uses State-level "equity" and "effort" factors to make allocations to States that are intended to encourage States to spend more on education and to improve the equity of State funding systems. Once State allocations are determined, suballocations to the LEA level are based on a modified version of the Targeted Grants formula.

In determining allocations under each of the four formulas, the statute requires the use of annually updated Census Bureau estimates of the number of children from low-income families in each local educational agency. There is roughly a 2-year lag between the income year used for LEA poverty estimates and the fiscal year in which those estimates are used to make Title I allocations. For example, the fiscal year 2009 allocations were based on LEA poverty estimates for 2007. The Department transfers a small amount of funding from the annual Title I appropriation (\$4.0 million in 2010) to the Census Bureau to finance the preparation of these LEA poverty estimates.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

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LEAs also use poverty data—generally the number of students eligible for free- or reduced-price lunch—to make within-district allocations to schools. LEAs with more than 1,000 students must serve all schools with a poverty rate above 75 percent, including middle and high schools, before serving schools with less needy student populations.

One percent of the total LEA Grant appropriation is reserved for the Department of the Interior’s Bureau of Indian Education and the Outlying Areas (the United States Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands). In addition, States are permitted to reserve up to 1 percent, or \$400,000, whichever is greater, to cover SEA costs of administering Title I programs, except that such amounts may not exceed the level that is provided if the total appropriation for Parts A, C, and D of Title I of the ESEA equals \$14 billion.

Title I Grants to LEAs is a forward-funded program that includes advance appropriations. A portion of funds becomes available for obligation on July 1 of the fiscal year in which they are appropriated, and remain available for Federal obligation for 15 months. The remaining funds become available on October 1 of the fiscal year following the appropriations act, and remain available for Federal obligation for 12 months, expiring at the same time as the forward-funded portion.

### American Recovery and Reinvestment Act

The American Recovery and Reinvestment Act (Recovery Act) provided an additional \$10 billion for supplemental fiscal year 2009 formula grant awards under the Title I Grants to LEAs program. The Act divided the \$10 billion equally between the Targeted Grants and EFIG formulas. The Administration awarded half of the Title I Recovery Act funds (\$2.5 billion for Targeted Grants and \$2.5 billion for EFIG) on April 1, 2009, under each State’s existing Consolidated State Application. The remaining \$5 billion was made available on September 4, 2009. In the absence of a waiver from the SEA, LEAs must obligate at least 85 percent of these funds by September 30, 2010, and any remaining funds by September 30, 2011.

Funding levels for the past 5 fiscal years were as follows:

	<u>Basic Grants</u> (\$000s)	Concentration <u>Grants</u> (\$000s)	Targeted <u>Grants</u> (\$000s)	Education Finance <u>Incentive Grants</u> (\$000s)
2006.....	\$6,808,408	\$1,365,031	\$2,269,843	\$2,269,843
2007.....	6,808,408	1,365,031	2,332,343	2,332,343
2008.....	6,597,946	1,365,031	2,967,949	2,967,949
2009.....	6,597,946	1,365,031	3,264,712	3,264,712
Recovery Act .....	0	0	5,000,000	5,000,000
2010.....	6,597,946	1,365,031	3,264,712	3,264,712

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### College- and career-ready students

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#### **FY 2011 BUDGET REQUEST**

The 2011 budget request for the renamed College- and Career-Ready Students (CCRS) program (formerly Title I Grants to LEAs) is \$14.5 billion, the same as the 2010 level. The budget request assumes that the program will be implemented in fiscal year 2011 under a reauthorized ESEA that is consistent with the Administration's forthcoming ESEA reauthorization proposal. This proposal is based on a detailed examination of the successes and failures of current law, public input obtained in part through a 50-State "Listening and Learning Tour," and extended conversations with key education stakeholders across the Nation. The result for Title I, Part A will be a comprehensive set of proposed changes that build on the significant reforms begun through the Recovery Act in the areas of standards and assessments, teachers and leaders, data systems, and turning around the Nation's low-performing schools. In pursuing these reforms, the Administration has developed several principles to guide its Title I reauthorization proposal:

- The need for more rigorous standards that build towards college- and career-readiness;
- The value of positive incentives and of recognizing and rewarding success;
- A relentless focus on improvement at every level, from student growth to school progress;
- Shared responsibility for improvement, and building capacity to raise achievement at all levels of our education system;
- Asking for meaningful change in persistently low-performing schools; and
- Increasing the placement of effective teachers and school leaders in high-need schools.

The Administration's reauthorization proposal for Title I, Part A of the ESEA includes key changes in the areas of standards and assessments, accountability and support for schools and LEAs, and teacher quality.

#### **Raising the Bar**

While the current Title I program has succeeded in firmly establishing standards-based accountability systems in all 50 States, the concomitant emphasis on punitive sanctions for not making lock-step progress toward meeting those standards inadvertently encouraged States to lower the quality of their standards as well as the levels of proficiency needed to meet them. The net result has been wide divergence in most States in student performance on State assessments compared to student performance on the National Assessment of Educational Progress (NAEP). For example, the October 2009 report from the National Center for Education Statistics, *Mapping State Proficiency Standards Onto NAEP Scales: 2005-2007*, found that 31 States set grade 4 standards for the Proficient level in reading that were lower than the Basic level on NAEP.

## **ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

### **College- and career-ready students**

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To overcome this problem and ensure that States set high academic standards that prepare young people for college and careers, the Administration's Title I reauthorization proposal will ask States to adopt statewide standards that build towards college- and career-readiness in reading/language arts and mathematics. In addition, each State would be required to implement high-quality assessments linked to these college- and career-ready (CCR) standards that could adequately measure individual student growth towards and above grade-level standards.

#### **Measuring Success**

The reauthorization proposal would replace the adequate yearly progress (AYP) measure in current law, which is based primarily on a single, static snapshot of student proficiency on academic assessments, with a broader, more accurate measure of school performance that looks at student achievement, student growth, and school progress. States would measure school performance and differentiate schools on the basis of progress in getting students on track to college- and career-readiness and in closing achievement gaps. At the high school level, graduation rates (including improvement in the rates) also would be a factor in measuring school performance. In addition, States and LEAs would report on other factors which may include student and teacher attendance, indicators of school climate, and high school indicators such as college-enrollment rates. States would measure LEA performance and differentiate LEAs on the basis of similar measures.

#### **Incentives and Interventions for School and LEAs**

The current Title I accountability and school improvement system suffers from two interrelated weaknesses. First, it treats all schools that miss AYP—no matter whether a school just misses for one subgroup in one subject or misses by a great deal for all subgroups in both reading and mathematics—as schools that must be identified for improvement, corrective action, or restructuring. Second, it prescribes the same school improvement strategies and timeline regardless of the scale of the challenges a school is facing. The result is an accountability system widely viewed as arbitrary, inflexible, and unfair, and one that has been largely ineffective in turning around low-performing schools. The current system also arguably over-identifies low-performing schools, thus taxing the limited capacity of States and LEAs to undertake successful improvement efforts and spreading available resources—financial and otherwise—too thinly to support effective reforms. Moreover, the current system is focused almost exclusively on sanctions for failure, with few rewards or other positive incentives for success.

The Administration's ESEA reauthorization proposal for Title I would address these concerns by creating a system that (1) recognizes and rewards schools that are making significant progress in getting students on track to college- and career-ready and closing achievement gaps; (2) requires rigorous interventions for the lowest-performing schools; and (3) with some exceptions, gives States and LEAs increased flexibility to develop their own strategies and interventions for other schools. The proposal would aim to improve on current law by requiring similar systems of accountability—including both meaningful rewards and meaningful interventions where appropriate—for LEAs and States.

## **ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

### **College- and career-ready students**

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#### **Effective Teachers and Leaders**

Strong teachers and leaders are the heart of educational improvement, yet current law focuses too little on the effectiveness of teachers in improving student learning, and does little to recognize the importance of and support the development of effective school leaders. The Administration's reauthorization proposal would require States to develop a definition of "effective teacher" that is based in significant part on student learning. States would be required to put in place a system that links the academic achievement and growth of students to their teachers and school leaders. At the local level, most LEAs would be required to set-aside a portion of funds for activities to improve the equitable distribution of effective teachers and leaders across their low- and high-poverty schools.

#### **Other Supports for College- and Career-Ready Students**

In addition to the provisions described above, the Administration's Title I reauthorization proposal will include more robust State requirements that would establish conditions for successful reform and help expand State capacity to deliver on the four assurances in the Recovery Act (stronger standards and assessments, effective teachers and leaders, using data systems to improve instruction, and turning around the lowest-performing schools). An increased State-level reservation of Title I, Part A funds would support these efforts, as well as the enhanced use of technology to improve instruction.

**ACCELERATING ACHIEVEMENT AND ENSURING EQUITY**

**College- and career-ready students**

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**PROGRAM OUTPUT MEASURES (\$000s, except per-child amounts)**

		<u>2009</u>	<u>2010</u>	<u>2011</u>
<u>LEA Poverty Rate</u>				
0-15%	# of LEAs	6,712	6,548	6,548
	Dollars	\$5,173,459	\$2,923,451	2,941,000
	% of Total \$	21.56	20.60	20.73
	\$ Per Formula Child	\$2,128	\$1,285	\$1,293
15<25%	# of LEAs	4,325	4,343	4,343
	Dollars	\$7,447,840	\$4,868,127	4,899,949
	% of Total \$	31.05	34.30	34.53
	\$ Per Formula Child	\$2,406	\$1,458	1,468
>25%	# of LEAs	2,083	2,216	2,216
	Dollars	\$11,368,900	\$6,400,580	\$6,349,491
	% of Total \$	47.39	45.10	44.74
	\$ Per Formula Child	\$3,117	\$1,765	1,751
	LEA Allocation Subtotal	\$23,990,199	\$14,192,158	\$14,190,840
	BIA/Outlying Areas	244,884	144,884	144,884
	Part D, Subpart 2	253,318	151,359	152,677
	Census Updates	<u>4,000</u>	<u>4,000</u>	<u>4,000</u>
	Grants to LEAs Total	24,492,401	14,492,401	14,492,401
	Schools receiving Title I funds	51,500	51,500	51,500
	Schoolwide programs	33,000	33,000	33,000
	Targeted assistance programs	18,500	18,500	18,500
<u>Students served (in millions)</u>				
	In schoolwide programs	17.2	17.2	17.2
	In targeted assistance programs	2.5	2.5	2.5
	In other programs (non-public, N&D)	<u>0.3</u>	<u>0.3</u>	<u>0.3</u>
	Total	20.0	20.0	20.0

Note: Data for 2009 include funding provided by both the fiscal year 2009 appropriation and the Recovery Act. The \$10 billion provided in fiscal year 2009 by the Recovery Act is expected to be used primarily for one-time investments and improvements and, thus, to have limited impact on the estimated numbers of students and schools served by the program.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### College- and career-ready students

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#### **PROGRAM PERFORMANCE INFORMATION**

This section presents selected program performance information for the current Title I Grants to LEAs program, including, for example, GPRA goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the resources provided in previous years and those requested for fiscal year 2011 and future years, as well as the resources and efforts invested by those served by this program.

The performance measures and targets for the Title I Grants to LEAs program rely on data submitted annually through the ESEA Consolidated State Performance Reports, which include State and local performance information specified primarily through the annual “report card” requirements described in Section 1111(h) of the ESEA.

These measures are focused on three areas: progress of economically disadvantaged students toward the statutory goal of ensuring that all students are proficient in reading and mathematics by 2014, closing the achievement gaps in reading and mathematics between economically disadvantaged students and the “all students” group, and improving the efficiency of the Department’s monitoring process for Title I Grants to LEAs.

**Goal: At-risk students improve their achievement to meet challenging standards.**

**Objective:** *The performance of low-income students will increase substantially in reading and mathematics.*

<b>Measure:</b> The percentage of economically disadvantaged students in grades 3-8 scoring at the proficient or advanced levels on State reading assessments.		
Year	Target	Actual
2006	57.8	55.3
2007	60.9	57.4
2008	66.5	58.1
2009	72.1	
2010	77.7	
2011	83.2	

**Assessment of progress:** The 2008 assessment results show that the reading/language arts proficiency levels of the economically disadvantaged students are improving but are roughly 2 years behind the pace needed to reach the ESEA’s goal of 100-percent proficiency by 2014.

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<b>Measure:</b> The percentage of economically disadvantaged students in grades 3-8 scoring at the proficient or advanced levels on State math assessments.		
Year	Target	Actual
<b>2006</b>	56.2	52.3
<b>2007</b>	58.3	55.9
<b>2008</b>	64.2	57.8
<b>2009</b>	70.2	
<b>2010</b>	76.2	
<b>2011</b>	82.1	

**Assessment of progress:** The 2008 assessment results show that proficiency levels in mathematics for economically disadvantaged students are improving, but at about one-third the rate needed to reach the ESEA’s goal of 100-percent proficiency by 2014.

<b>Measure:</b> The difference between the percentage of economically disadvantaged students in grades 3-8 scoring at the proficient or advanced levels on State reading assessments and the percentage of all students in grades 3-8 scoring at the proficient or advanced levels on State reading assessments.		
Year	Target	Actual
<b>2006</b>	11.7	13.0
<b>2007</b>	11.4	12.8
<b>2008</b>	9.8	12.5
<b>2009</b>	8.1	
<b>2010</b>	6.5	
<b>2011</b>	4.9	

**Assessment of progress:** The 2008 results show that the reading achievement gap is moving in the right direction, but far too slowly to meet the targets required to reach the ESEA’s goal of 100-percent proficiency in reading (and, thus, eliminate the gap) by 2014.

<b>Measure:</b> The difference between the percentage of economically disadvantaged students in grades 3-8 scoring at the proficient or advanced levels on State math assessments and the percentage of all students in grades 3-8 scoring at the proficient or advanced levels on State math assessments.		
Year	Target	Actual
<b>2006</b>	11.4	12.7
<b>2007</b>	11.1	12.2
<b>2008</b>	9.5	11.8
<b>2009</b>	7.9	
<b>2010</b>	6.4	
<b>2011</b>	4.8	

**Assessment of progress:** The 2008 results show that the math achievement gap is moving in the right direction, but far too slowly to meet the targets required to reach the ESEA’s goal of 100-percent proficiency in math (and, thus, eliminate the gap) by 2014.

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#### Efficiency Measure

<b>Measure:</b> Average time to complete State monitoring reports, in days, following the completion of a site visit.		
Year	Target	Actual
2006		43.3
2007	40.3	59.9
2008	40.0	41.3
2009	40.0	25.5
2010	40.0	
2011	40.0	

**Assessment of progress:** The baseline in fiscal year 2005 was 46.3 days. After a sharp, unexpected increase in completion time in 2007 due to a more intensive monitoring cycle (visits were conducted from January 2007 to September 2007, instead of the usual 12-month October-to-September schedule) and expanded monitoring of public school choice and SES implementation, the Department has made steady progress in reducing the average time to completion for State monitoring reports. In 2008, the number of days fell to 41.3 (still short of the target of 40 days), and in 2009 the Department made dramatic improvement by reducing the completion time to 25.5 days, well below the target of 40 days. The Department will review its targets for 2010 and 2011 based on current monitoring plans and the pending completion of ESEA reauthorization.

#### Other Performance Information

##### National Assessment of Title I: Final Report

The ESEA requires a comprehensive, multi-year national assessment on the implementation and impact of the Title I Grants to LEAs. The Department released the National Assessment of Title I (NATI) Final Report in October 2007. Volume I of this report provided a wide range of descriptive information and data on the implementation of No Child Left Behind through the 2004-05 school year. This report is available on the Department of Education's web site at <http://ies.ed.gov/ncee/pubs/20084012/>. Highlights of the report include the following:

#### Program Participants

- Title I funds go to 93 percent of the Nation's school districts and to 56 percent of all public schools. Most Title I funds go to elementary schools, and nearly three-fourths (72 percent) of Title I participants in 2004-05 were in pre-kindergarten through grade 6. Minority students accounted for two-thirds of Title I participants. Private school students account for about 1 percent of Title I participants.
- Fueled by a growing use of Title I schoolwide programs, the number of students counted as Title I participants has tripled over the past decade, rising from 6.7 million in 1994-95 to 20.0 million in 2004-05.

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#### Targeting and Use of Funds

- In 2004-05, about three-fourths (76 percent) of Title I funds went to schools with 50 percent or more students eligible for free or reduced-price lunch, while low-poverty schools, which accounted for 14 percent of Title I schools, received 6 percent of Title I funds.
- At the district level, Title I targeting has changed little since 1997-98, despite the allocation of nearly \$3.6 billion in new funding through the Targeted Grants and Education Finance Incentive Grants formulas following the enactment of No Child Left Behind. The share of funds received by the highest-poverty quartile of districts in 2004-05 (52 percent) was similar to their share in 1997-98 (50 percent).
- Title I funding for the highest-poverty schools also remained virtually unchanged since 1997-98, and those schools continued to receive smaller Title I allocations per low-income student than did low-poverty schools. The average Title I allocation in the highest-poverty Title I schools was \$558 per low-income student in 2004-05, compared with \$563 in 1997-98. Low-poverty schools continued to receive larger Title I allocations per low-income student than did the highest-poverty schools (\$763 vs. \$558).
- Elementary schools received 74 percent of Title I school allocations in 2004-05; the share allocated to middle schools (14 percent) and high schools (10 percent) was less than their share of the Nation's low-income students (20 percent and 22 percent, respectively). Seventy-one percent of elementary schools received Title I funds, compared with 40 percent of middle schools and 27 percent of high schools. The average allocation per low-income student was \$664 in elementary schools, \$502 in middle schools, and \$451 in high schools.
- In the 2004-05 school year, nearly three-fourths (73 percent) of district and school Title I funds were spent on instruction, 16 percent were used for instructional support, and another 11 percent were used for program administration and other support costs such as facilities and transportation. About half (49 percent) of local Title I funds were spent on teacher salaries and benefits, with an additional 11 percent going for teacher aides.

#### Trends in Student Achievement

- In States that had 3-year trend data available from 2002-03 to 2004-05, the percentage of students achieving at or above the State's proficient level rose for most student groups in a majority of the States, but the increases in student proficiency were often small. For example, State reading assessments administered in the 4th grade or an adjacent elementary grade showed achievement gains for low-income students in 28 out of 35 States.
- Based on trend data for 36 States, most would not meet the goal of 100 percent proficiency by 2013-14 unless the percentage of students achieving at the proficient level increased at a faster rate. For example, only 29 percent of the States with

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consistent elementary reading assessment data for low-income students would meet the 100 percent goal by 2013-14 for this subgroup if they sustained the same rate of growth that they achieved from 2002-03 to 2004-05

- State assessments provided some indications that achievement gaps between disadvantaged students and other students may be narrowing, but recent changes are small. For example, State assessments showed a slight reduction in the achievement gap between low-income students and all students in most States, typically a reduction of 1 to 3 percentage points.
- Most States have met the requirement to assess annually 95 percent or more of their students, including major racial/ethnic groups, students with disabilities, English learner (EL) students, and low-income students. However, 15 States did not meet the minimum test participation requirement for one or more student subgroups.

### AYP and School Improvement

- States identified 12 percent of all schools for improvement for 2005-06. Of these, 9,808 were Title I schools (18 percent of Title I schools), about the same as in 2004-05 but a 51 percent increase over the 6,219 Title I schools identified for 2003-04.
- Schools with high concentrations of poor and minority students were much more likely to be identified than other schools, as were schools located in urban areas. Just over one-third of high-poverty schools (32 percent) and schools with high percentages of minority students (31 percent) were identified schools in 2004-05, compared with 4 percent of schools with low concentrations of these students. Schools in urban areas were more likely to be identified (21 percent) than were suburban and rural schools (9 percent and 7 percent, respectively).
- Schools in States that had set more challenging proficiency standards than other States, as measured relative to NAEP, were less likely to make AYP and had much further to go to reach the goal of 100 percent proficient.
- Slightly more than half of the States had set “delayed acceleration” trajectories that expect a greater proportion of the required achievement growth to occur after 2009. On average, States expected that 41 percent of the growth needed to reach 100 percent proficiency would occur in the 5 years from 2004 to 2009, and 59 percent of the needed growth would occur in the 5 years from 2009 to 2014.
- Schools most commonly missed AYP for the achievement of all students or multiple subgroups; only in a minority of cases did schools miss only one AYP target.
- Schools that were held accountable for more subgroups were less likely to make AYP. Among schools for which AYP was calculated for six or more subgroups, 45 percent did not make AYP, compared with 5 percent of schools for which AYP was calculated based on only one subgroup.

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- Almost all States had implemented a statewide system of support for identified schools by fall 2004, and these often involved school support teams (37 States) and individual school improvement specialists (29 States). Most States (42) reported that providing assistance to all schools identified for improvement was a moderate or serious challenge in 2003-04.
- Identified schools were more likely to report needing assistance in a variety of specific areas than non-identified schools, and they also reported receiving more days of assistance than non-identified schools.
- Title I schools in corrective action status nearly universally experienced the interventions required by the ESEA for schools in this stage of improvement. Corrective actions were implemented in 95 percent of Title I schools in corrective action status in 2004-05.
- Nearly one-third (30 percent) of identified elementary schools reported increasing the amount of instructional time in reading by more than 30 minutes per day in 2004-05, and 17 percent reported a similar increase in instructional time for mathematics.

### Public School Choice and Supplemental Educational Services

- Although more students were eligible to participate in the Title I school choice option, a larger number actually participated in supplemental educational services (SES). Based on district reports, more than twice as many students were eligible to transfer to another school under the Title I school choice option in 2004-05 (5.2 million) as were eligible to receive supplemental services (2.4 million). However, nearly 10 times as many students actually participated in SES (446,000) as participated in the school choice option (48,000) in that year.
- In a case study of nine large urban districts, African-American students had the highest participation rate of all racial and ethnic groups in Title I SES and an above-average participation rate in Title I school choice (16.9 percent and 0.9 percent, respectively). Hispanic students, EL students, and students with disabilities had relatively high participation rates in SES and relatively low participation rates in school choice.
- In the same nine districts, students participating in SES had average prior-year achievement levels that were lower than those for all eligible students. Students participating in the school choice option had prior achievement levels similar to all eligible students. School choice participants typically transferred from a school with below-average achievement for their district to a school with above-average achievement. Transferring students also tended to choose schools that had lower concentrations of minority students than the schools that they left.

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- Most participating students received SES from a private provider, but school districts and public schools also served a substantial share of participants. Private firms accounted for 86 percent of approved providers in May 2007, while school districts and public schools accounted for only 11 percent. However, districts and public schools accounted for 40 percent of student participants in 2003-04, although they comprised 25 percent of approved providers in that year.
- Districts reported spending an average of \$875 per participating student for SES in 2003-04, about 30 percent less than the maximum per-child amount they reported allocating for such services in that year (\$1,225). The maximum per-child amount reported by districts rose to an average of \$1,434 in 2004-05
- Based on data from a survey of 125 SES providers in 16 school districts, services were provided both through one-on-one tutoring and through group instruction and were most often provided at the student's school. Services were provided for an average of 57 hours per student per year in those districts, and students attended an average of 78 percent of the sessions.
- Half of all school districts required to offer SES indicated that providers could use district facilities free of charge (based on the nationally representative sample), but only 17 percent of providers in the 16 districts said their contract with the district permitted them to use district facilities free of charge.

### Teacher Qualifications

- The large majority of teachers across the country have been designated as highly qualified. According to State-reported data for 50 States, 91 percent of classes were taught by highly qualified teachers in 2004-05.
- Students in schools that had been identified for improvement were more likely to be taught by teachers who said they were not highly qualified than were students in non-identified schools.
- Even among teachers who said they were highly qualified, those in high-poverty schools had less experience and were more likely to be teaching out of field, compared with their peers in low-poverty schools.
- Most States meet the requirement to test new teachers' content knowledge through the Praxis II subject assessments developed by the Educational Testing Service (41 States).
- All States allowed veteran teachers to demonstrate their subject-matter competency through a high objective uniform State standard of evaluation (HOUSSE), as of November 2006.

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- Most teachers reported receiving some professional development in reading and mathematics content and instructional strategies, but fewer than one-quarter of the teachers participated in such training for more than 24 hours over the 2003-04 school year and summer.
- Teachers in high-poverty schools were more likely to participate in professional development focused on reading and mathematics than were teachers in low-poverty schools. For example, 53 percent of secondary English teachers in high-poverty schools reported participating in professional development focused on in-depth study of reading or English compared with 36 percent of their colleagues in low-poverty schools.

### Impact of Supplemental Educational Services on Student Achievement

In July 2007, the Department published *State and Local Implementation of the No Child Left Behind Act: Volume I—Title I School Choice, Supplemental Educational Services, and Student Achievement*, which examined the impact of participation in Title I school choice and supplemental educational services on student achievement, as well as the characteristics of participating students. The key finding of this study of nine large urban school districts was that students participating in supplemental educational services experienced gains in achievement that were statistically significant. The full study is available at <http://www.ed.gov/rschstat/eval/choice/implementation/achievementanalysis.pdf>.

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### School turnaround grants

(Elementary and Secondary Education Act of 1965, Section 1003(g))

FY 2011 Authorization (\$000s): To be determined<sup>1</sup>

Budget authority (\$000s):

<u>2010</u>	<u>2011</u>	<u>Change</u>
\$545,633	\$900,000	+\$354,367

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<sup>1</sup>The GEPA extension expired September 30, 2008. The program is authorized in fiscal year 2010 through appropriations language. Reauthorizing legislation is sought for fiscal year 2011.

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### PROGRAM DESCRIPTION

Section 1003(g) of the Elementary and Secondary Education Act (ESEA) requires the Department to award School Improvement Grants (SIGs) to each State educational agency (SEA) based on the SEA's proportionate share of the funds it receives under Title I, Parts A, C, and D of the ESEA. In turn, each SEA must subgrant 95 percent of its allocation to local educational agencies (LEAs) that apply for those funds to assist their Title I schools identified for improvement, corrective action, or restructuring under section 1116 of the ESEA. SEAs may use up to 5 percent of their SIG allocations for administration, evaluation, and technical assistance activities.

Under the ESEA, a Title I school that, for 2 consecutive years, does not make adequate yearly progress (AYP) toward the goal of all students achieving at the proficient level in reading/language arts and in mathematics is identified for improvement and must develop and implement a 2-year improvement plan that addresses the reasons it missed AYP. In the first year of improvement, the LEA agency also must offer public school choice options to all students enrolled in the school. If the school continues to miss AYP for a third year, the LEA must make available, in addition to public school choice options, supplemental educational services (SES) to students from low-income families who are enrolled in the identified school.

After 4 years of not making AYP (and 2 years of implementing its improvement plan), the LEA must take corrective action, such as by replacing school staff responsible for the continued inability to make AYP, implementing a new curriculum, or reorganizing the school internally. If corrective action does not result in the school making AYP, the LEA is required to begin planning for restructuring, which involves making a fundamental change such as closing the school and reopening it as a public charter school, replacing all or most of the school's staff, or turning operation of the school over to a private management company with a demonstrated record of effectiveness. If the school does not make AYP for a 6<sup>th</sup> year, the LEA must carry out the restructuring plan. The LEA must continue to offer public school choice and SES options to eligible students during corrective action or restructuring.

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To receive school improvement funds under section 1003(g), an SEA must submit an application to the Department. An SEA must allocate at least 95 percent of its school improvement funds to LEAs. The statute requires States to give priority in making awards to LEAs demonstrating the greatest need for school improvement funding and the strongest commitment to providing the resources needed to help their lowest-performing schools successfully implement their improvement plans. Subgrants to LEAs must be of sufficient size and scope to support the activities required under section 1116 of the ESEA, and are renewable for two additional 1-year periods.

### **Rapid Funding Growth**

The School Improvement Grants program received initial funding of \$125 million in fiscal year 2007, growing rapidly to \$491 million in fiscal year 2008. In fiscal year 2009, Congress appropriated a total of \$3.5 billion for the SIG program, including \$545.6 million in the regular 2009 appropriations act and \$3 billion in the American Recovery and Reinvestment Act of 2009 (Recovery Act). In response to this unprecedented, massive increase in SIG funding, and as part of a comprehensive effort to maximize the impact of education programs in the Recovery Act on improving America's system of elementary and secondary education, the Administration developed and issued new regulations governing the SIG program. These regulations, which were coordinated with regulations published for two other major education programs in the Recovery Act—the State Fiscal Stabilization Fund and the Race to the Top Fund—were aimed primarily at ensuring that the historic, one-time investment in the SIG program made by the Recovery Act is used to implement rigorous school intervention models in the Nation's very worst schools, including many of the roughly 2,000 high school “dropout factories” with graduation rates below 60 percent.

### **New Regulations**

The new SIG regulations were issued in two parts. First, the Department published SIG final requirements in the Federal Register on December 10, 2009 (74 FR 65618). Second, in response to the Consolidated Appropriations Act, 2010, which was signed into law on December 16, 2009, and which included new provisions applicable to the SIG program for fiscal years 2009 and 2010, the Department published additional interim final regulations in January 2010. The January 2010 interim final regulations incorporated language in the Consolidated Appropriations Act that expanded eligibility for the SIG program, while continuing to target funds on the lowest-performing schools. At the option of SEAs and LEAs, certain Title I schools that are not in improvement, corrective action, or restructuring and certain schools that are eligible for, but that do not receive, Title I, Part A funds may participate in the SIG program. The interim final regulations also raised the maximum annual amount an LEA may receive under the SIG program from \$500,000 to \$2 million per participating school.

### **Defining Greatest Need**

A key purpose of the new SIG regulations is to define more closely the statutory priorities on awarding SIG funds to LEAs that demonstrate the greatest need for the funds and the strongest commitment to ensuring that the funds are used to provide adequate resources that enable the lowest-performing schools to raise substantially the achievement of their students. To drive

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school improvement funds to LEAs with the greatest need for those funds, the SIG regulations build on the common definition of persistently lowest-performing schools developed for use in the reporting required by the State Fiscal Stabilization Fund, in State plans for turning around their lowest-performing schools under the Race to the Top Fund, and in the SIG program. Persistently lowest-performing schools are defined generally as: (1) the bottom 5 percent, in terms of academic achievement, of Title I schools in improvement, corrective action, or restructuring in each State; (2) the bottom 5 percent, in terms of academic achievement, of secondary schools in each State that are eligible for, but that do not receive, Title I, Part A funds; and (3) Title I secondary schools in improvement, corrective action, or restructuring with graduation rates below 60 percent and Title I-eligible secondary schools with graduation rates below 60 percent. In identifying schools in (1) and (2), States must take into account the academic achievement of the “all students” group in each school in terms of proficiency on their ESEA reading/language arts and mathematics assessments combined, as well as that group’s lack of progress on those assessments. States must include at least five schools in (1) and (2).

To determine greatest need for the purposes of the SIG program, the new regulations establish three tiers of schools based on a combination of the definition of persistently lowest-performing schools, the eligibility requirements of section 1003(g), and the optional expanded eligibility requirements included in the Consolidated Appropriations Act, 2010. The Act allows SEAs and LEAs to use SIG funds to serve—in addition to Title I schools identified for improvement, corrective action, or restructuring—schools that are eligible for, and may or may not receive, Title I, Part A funds and that either: (1) have not made AYP for at least 2 years, or (2) are in the State’s lowest quintile of performance based on proficiency rates.

States have some flexibility in assigning schools to the three tiers, but, in general must adhere to the following guidelines:

- Tier I schools are Title I schools in improvement, corrective action, or restructuring that are in the bottom 5 percent of such schools in achievement or that have graduation rates below 60 percent. States also may add other elementary schools that meet certain requirements to their lists of Tier I schools.
- Tier II schools are secondary schools that are eligible for, but do not receive, Title I, Part A funds and that are in the State’s bottom 5 percent of such schools in terms of achievement or that have graduation rates below 60 percent. States also may add other secondary schools that meet certain requirements to their lists of Tier II schools.
- Tier III schools are Title I schools in improvement, corrective action, or restructuring that are not in Tier I. States also may add other schools that meet certain requirements, and that are not in Tier I or Tier II, to their lists of Tier III schools.

State applications for SIG funds must include their lists of schools in each of Tiers I, II, and III, and States must use these lists to determine which LEAs have the greatest need for SIG funds. States that choose to add schools that are newly eligible for SIG under the Consolidated Appropriations Act, 2010 must ensure that these schools are no higher achieving than the schools in the tiers to which they are added.

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#### Defining Strongest Commitment

States also must determine which LEAs have the strongest commitment to using SIG funds for interventions that are most likely to turn around their lowest-performing schools and produce improved student outcomes. The new regulations define “strongest commitment” by an LEA as a commitment to use SIG funds to fully and effectively implement one of the following four school intervention models in each of its Tier I and Tier II schools:

- The Turnaround model, which involves, among other things, replacing the principal and retaining no more than 50 percent of a school’s staff, adopting a new governance structure, and implementing an instructional program that is research-based and vertically aligned from one grade to the next as well as aligned with a State’s academic standards.
- The Restart model, which requires an LEA to convert a school or close and reopen it under the management of a charter school operator, a charter management organization, or an education management organization that has been selected through a rigorous review process.
- School closure, which involves closing a school and enrolling its students in other, higher-achieving schools in the LEA.
- The Transformation model, which addresses four specific areas critical to transforming the lowest-performing schools, including replacing the principal and ineffective teachers, comprehensive instructional reform, increasing learning time, and expanding operational flexibility.

LEAs must serve each of their Tier I schools unless they lack the capacity to fully and effectively implement one of these 4 models, and they may serve Tier I and Tier II schools only by implementing one of the models. LEAs with more than 9 Tier I or Tier II schools may not implement any single intervention in more than half of those schools. In general, if an LEA serves Tier III schools, it must use SIG funds for the school improvement activities described in section 1116 of the ESEA.

LEAs must establish annual goals for student achievement, as well as measure progress on certain leading indicators, for their Tier I and Tier II schools. Tier III schools must meet goals established by the LEA and approved by the SEA; for Title I schools in improvement, corrective action, or restructuring, these may be the goals in their improvement plans required by section 1116 of the ESEA.

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#### SEA Priorities in Awarding SIG Funds

In awarding School Improvement Grants to an eligible LEA, an SEA must provide sufficient funding to the LEA, consistent with the LEA's proposed budget and its capacity to implement the selected school intervention model in each Tier I and Tier II school the LEA applies to serve, to close schools, and to serve participating Tier III schools. More broadly, an SEA must award funds to serve each Tier I and Tier II school that its LEAs apply to serve and that the SEA determines its LEAs have the capacity to serve, before it awards funding to its LEAs to serve Tier III schools.

Recognizing that it takes time to implement rigorous interventions and demonstrate improved outcomes in the lowest-performing schools, and to take full advantage of the unprecedented amount of SIG funding available (primarily through the Recovery Act) in fiscal year 2009, SEAs or LEAs may apply to the Department for a waiver of the period of availability of fiscal year 2009 SIG funds beyond September 30, 2011. Such waivers would permit SEAs to use fiscal year 2009 funds to make 3-year awards to eligible LEAs.

This is a forward-funded program. Funds become available for obligation on July 1 of the fiscal year in which they are appropriated and remain available through September 30 of the following year.

Funding levels for the past 5 fiscal years were as follows:

	(\$000s)
2006 .....	0
2007 .....	\$125,000
2008 .....	491,265
2009 .....	545,633
Recovery Act.....	3,000,000
2010 .....	545,633

#### FY 2011 BUDGET REQUEST

The Administration is requesting \$900 million for the renamed School Turnaround Grants program in fiscal year 2011, an increase of \$354.4 million over the 2010 level. The program would be reauthorized for fiscal year 2011 as part of the Administration's proposed reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA), and would play a critical role in the new Title I statewide accountability systems that would be created by the reauthorization plan.

More specifically, the reauthorized School Turnaround Grants program would help States and LEAs turn around their lowest-performing schools. While States would have new flexibility under the Administration's ESEA reauthorization proposal to develop their own improvement strategies and interventions for most schools, they would be required to implement one of the four prescribed school intervention models in their very lowest-performing schools and would rely heavily on the reauthorized School Turnaround Program funding for this purpose.

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If the ESEA is not reauthorized, the Administration will work with Congress to advance high priority K-12 education reforms through existing authorities, including the \$900 million requested for the School Turnaround Grants program.

### PROGRAM OUTPUT MEASURES (\$000s)

	<u>2009</u>	<u>2010</u>	<u>2011</u>
Number of awards	57	57	57
Range of awards	\$871-415,844	\$134-69,214	\$221-117,323
Average award	\$62,204	\$9,573	\$15,789
<u>BIE and outlying areas</u>	\$34,112	\$5,247	\$7,453

Note: Estimates for 2009 include funding provided by both the fiscal year 2009 appropriation and the Recovery Act. These funds will be awarded in spring 2010.

### PROGRAM PERFORMANCE INFORMATION

The December 10, 2009, final requirements for the SIG program, which will govern the expenditure of fiscal year 2009 and 2010 school improvement funds under the current School Improvement Grants program, included reporting metrics intended to help the Department, States, and LEAs to evaluate the effectiveness of the required interventions and to inform technical assistance activities. States must report on the LEAs that received SIG awards, the size of the award, and the schools served by the LEA with SIG funds (including the level of support provided to each participating school). States also must report school-level information, such as the type of intervention, adequate yearly progress (AYP) data and ESEA school improvement status, student achievement levels, graduation and dropout rates, and data on teacher performance and school climate. The Department already collects much of these data through existing *EDFacts* data collections; newly required data elements will be added to forthcoming collections at the earliest opportunity. The Department also will develop indicators to measure its own performance in administering the SIG program.

In addition, in 2010 the Department will begin an evaluation of selected school-wide strategies and models supported through the SIG program (including staffing, governance, instructional and student supports) to determine their impact on student achievement, teacher and school leader effectiveness, and school climate. The evaluation also will examine the extent to which SEA and LEA capacity is related to improvements in these areas.

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### Evaluation

(Elementary and Secondary Education Act of 1965, Sections 1501 and 1503)

FY 2011 Authorization (\$000s): To be determined <sup>1</sup>

Budget Authority (\$000s):

<u>2010</u>	<u>2011</u>	<u>Change</u>
\$9,167	\$9,167	0

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<sup>1</sup> The GEPA extension expired September 30, 2008. The program is authorized in fiscal year 2010 through appropriations language. Reauthorizing legislation is sought for fiscal year 2011.

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### PROGRAM DESCRIPTION

The Elementary and Secondary Education Act (ESEA) authorizes a separate appropriation for evaluation of Title I programs. The Department uses these funds to carry out objective measurement and systematic analyses of Title I, the Federal Government's largest investment in elementary and secondary education. These evaluations compare actual results with program objectives and provide the data needed to make sound decisions on program policies and resources and guide program improvement in the field.

Mandated evaluation activities include a National Assessment of Title I that examines how well schools, school districts, and States are implementing the Title I Grants to LEAs program, as well as the program's impact on improving student achievement. A longitudinal study to track the progress of schools is a major component of this National Assessment.

Section 1501 of the ESEA includes detailed requirements for the scope of the National Assessment, particularly in the areas of accountability and school improvement. For example, the statute requires the National Assessment to examine the following:

- The impact of Title I programs on student academic achievement;
- The implementation of the standards and assessments required by the law, including the development of assessments for students in grades 3 through 8;
- Each State's definition of adequate yearly progress, and the impact of applying these definitions at the State, LEA, and school levels; and
- The implementation of the school improvement provisions under Section 1116, including the impact of the public school choice and supplemental educational services provisions for students enrolled in schools identified for improvement, corrective action, or restructuring.

## EDUCATION FOR THE DISADVANTAGED

### Evaluation

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Funding levels for the past 5 fiscal years were as follows:

	(\$000s)
2006 .....	\$9,330
2007 .....	9,330
2008 .....	9,167
2009 .....	9,167
2010 .....	9,167

### FY 2011 BUDGET REQUEST

The Administration requests \$9.2 million for Title I evaluation in fiscal year 2011, the same as the 2010 level. Most funds would be used to continue major studies begun in earlier years and to launch the next National Assessment of Title I. Title I Evaluation is authorized by the Elementary and Secondary Education Act of 1965 and is, therefore, subject to reauthorization. The budget request assumes that the program will be implemented in fiscal year 2011 under reauthorized legislation, and the request is based on the Administration's reauthorization proposal, which would continue to require high-quality evaluations of Title I and other ESEA programs. However, the Administration is considering changes to the funding mechanism for Title I Evaluation, and may include such changes in the detailed reauthorization proposal that will be released later in 2010.

Major studies that would be funded in 2011 include the following:

- Study of Early Childhood Language Development. The request includes \$3.8 million for the second year of a 5-year national study of 100 Title I schools designed to identify school programs and teacher instructional practices associated with improved language development, background knowledge, and comprehension outcomes for children in pre-K through grade 3.
- School Turnaround Study. The request includes \$1.5 million for the third year of this study, which involves intensive case studies in a set of 50 low-achieving schools receiving Title I School Improvement Grant funds. The case studies will document the change process and identifying critical components and leading indicators of successful school turnaround. The study also will support schools undertaking actions to turn around student performance by providing feedback to schools participating in the study. This study also will support and be coordinated with a new evaluation beginning in 2010 of the rigorous school intervention models required by the December 10, 2009, SIG regulations and the Race to the Top program.
- National Assessment of Title I. The request includes \$2.8 million for the first year of the next National Assessment of Title I, which, consistent with reauthorization requirements for both Title I, Part A and Title I Evaluation, would examine the impact and implementation of the Title I program.

In addition, the 2011 request would continue to fund quick-turnaround support and other analyses related to the implementation and effectiveness of Title I.

## EDUCATION FOR THE DISADVANTAGED

### Evaluation

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#### **PROGRAM OUTPUT MEASURES (\$000s)**

	<u>2009</u>	<u>2010</u>	<u>2011</u>
<u>National Assessment of Title I</u>			
Design Study	0	0	\$250
Technical Support for the Independent Review Panel	0	0	100
Implementation of Title I	0	0	2,440
<u>Impact Studies</u>			
Impact Evaluation of Math Curricula	\$800	0	0
<u>Implementation Studies</u>			
Study of Early Childhood Language Development	4,034	\$5,256	3,845
School Turnaround Study	2,890	2,874	1,532
ESEA Reauthorization Analyses	1,000	1,000	1,000
Evaluation of Growth Model Pilot Project	443	0	0
Printing	<u>0</u>	<u>37</u>	<u>0</u>
Total, Evaluation	9,167	9,167	9,167

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NOTE: Reflects preliminary estimates for fiscal years 2010-2011 pending final approval of Evaluation spending plans.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

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### **Migrant student education**

(Elementary and Secondary Education Act of 1965, Title I, Part C)

FY 2011 Authorization (\$000s): To be determined<sup>1</sup>

Budget Authority (\$000s):

<u>2010</u>	<u>2011</u>	<u>Change</u>
\$394,771	\$394,771	0

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<sup>1</sup> The GEPA extension expired September 30, 2008. The program is authorized in FY 2010 through appropriations language. Reauthorizing language is sought for FY 2011.

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### **PROGRAM DESCRIPTION**

The Migrant Education program (MEP) provides financial assistance to State educational agencies (SEAs) to establish and improve programs of education for children of migratory farmworkers and fishers. The goal of the MEP is to enable migrant children: (1) to meet the same challenging academic standards as other children; and (2) to graduate from high school or a GED program with an education that prepares them for responsible citizenship, further learning, and productive employment. To help achieve this objective, program services help migratory children overcome the educational disruption and other problems that result from repeated moves. The program statute encourages activities to promote coordination of needed services across States and encourage greater access for migratory children to services available under the Title I Grants to Local Educational Agencies (LEAs) and other programs authorized under the Elementary and Secondary Education Act (ESEA), so that MEP funds can be used for services not already available from those programs to meet the unique needs of migrant students. Migratory children who have made a "qualifying move" within the last 3 years are generally eligible to be counted and served by the program. A move is considered to be a qualifying move if it: (1) is a change of residence due to economic necessity; (2) involves crossing school district boundaries; (3) is made in order to obtain temporary or seasonal work in agriculture or fishing; and (4) was made in the preceding 36 months.

Beginning with fiscal year 2003, every State receives at least 100 percent of the amount that it received through the program in fiscal year 2002. All funds in excess of \$396 million (the fiscal year 2002 appropriation) are allocated through a statutory formula based on each State's per-pupil expenditure for education, its count of eligible migratory students aged 3 through 21 residing within the State in the previous year, and its count of students who received services in summer or intersession programs provided by the State.

The Department may set aside up to \$10 million from the annual appropriation for contracts and grants to improve inter- and intra-State migrant coordination activities, including academic credit accrual and exchange programs for migrant students. The Department is required to consult with States receiving allocations of \$1 million or less about whether they can increase the cost-effectiveness of their programs by entering into inter-state consortium arrangements. By law,

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Migrant student education

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the Department may reserve up to \$3 million a year from coordination funds for incentive grants of not more than \$250,000 to such consortia.

The Department also developed the Migrant Student Record Exchange System (MSIX) in response to a statutory requirement that the Department assist States in developing effective methods for the electronic transfer of migrant student records. MSIX enables States to exchange migrant student data records efficiently and expeditiously and provide an accurate, unduplicated count of the number of migrant students on a national and Statewide basis. All States have access to MSIX, and the Department is working with them to ensure that they can transmit data from their own databases to the system.

This is a forward-funded program. Funds become available for obligation from July 1 of the fiscal year in which they are appropriated and remain available through September 30 of the following year.

Funding levels for the past 5 fiscal years were as follows:

	(\$000s)
2006 .....	\$386,524
2007 .....	386,524
2008 .....	379,771
2009 .....	394,771
2010 .....	394,771

### FY 2011 BUDGET REQUEST

For 2011, the Administration requests \$394.8 million for the Title I Migrant Student Education program, the same amount as the 2010 level. The fiscal year 2011 appropriation would support activities to identify highly mobile migratory children and youth, provide them comprehensive services that address their specific needs, and promote coordination of the Federal resources available to serve this population. Migrant students represent an especially disadvantaged, hard-to-serve group due to a multitude of risk factors present in the population. Migrant students tend to be highly mobile, live in poverty, and have limited English proficiency. Migrant children, by definition, move across school district and State boundaries, and this movement, connected to the production of food distributed in interstate commerce, provides a rationale for Federal intervention. Furthermore, no single school district or State has ongoing responsibility for the education of these students due to their high rate of mobility across district and State lines.

In addition, migrant children and youth sometimes help their families perform agricultural work, and a growing number of migrant "emancipated youth" travel without a parent or guardian to obtain migratory work in the fields and in processing plants. These children and youth are particularly at risk for poor educational outcomes. The 2002-03 National Agricultural Workers Survey, administered by the U.S. Department of Labor, found that 87 percent of school-aged migrant workers had dropped out of school in either the U.S. or their country of origin. Of the remaining 13 percent, 10 percent were behind in school and only 3 percent were in school and

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Migrant student education

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performing at grade level. The characteristics of the migrant population create a need for educational services that go well beyond services traditionally supported with State and local education budgets.

Data for 2007-08 indicate that the program provided services to 485,340 migrant students during the regular school year and 164,667 during the summer or intersessions. Program funds supported 2,147 projects that operated during the school day, 704 projects that included an extended school day, 1,201 summer projects, and 2,832 year-round projects. Services include supplemental instruction in reading, math, and other academic areas, and high school credit accrual. Program funds were also used to provide such support services as counseling, health and nutrition services, and (especially in the summer) transportation.

Schools that serve concentrations of migrant students are among the Nation's highest-need schools. The Department's most recent report on this topic, *The Same High Standards for Migrant Students: Holding Title I Schools Accountable*, published in 2002, found that Title I schools serving medium or high numbers of migrant students were more likely to serve concentrations of poor and minority children than were schools with no or few migrant students. Schools serving medium or high numbers of migrant students were also more likely to serve large concentrations of limited English proficient students, according to the Department's report, *A Snapshot of Title I Schools Serving Migrant Students: 2000-2001*. Thus, these schools are likely to depend heavily on the receipt of Title I and other Federal funds to support their program of special services to migrant students. The Migrant program pays costs not usually covered by regular Title I Grants to Local Educational Agencies.

The Department plans to reserve \$10 million from the fiscal year 2011 request for migrant coordination activities, including \$3 million for consortium incentive grants and the remainder for activities related to inter- and intra-State coordination, primarily the maintenance and operation of the Migrant Student Information Exchange (MSIX), including technical assistance to States as they continue to implement their own data systems to collect and exchange data on migrant students.

The budget request assumes that the program will be implemented in fiscal year 2011 under reauthorized legislation, and the request is based on the Administration's ESEA reauthorization proposal. Program reviews and audit findings have noted problems and inefficiencies in the program statute that the Administration's reauthorization proposal addresses, including formula provisions that are cumbersome, difficult to interpret, and based on child counts from fiscal year 2001. The Administration's proposal would improve and simplify the State allocation formula and ensure that allocations respond to shifts in State counts of migrant students. The Administration's proposal would also improve targeting of services to migrant students by strengthening the program purpose language and sharpening the provisions that determine which students receive priority for program services. In addition, recipients will continue to receive wide flexibility in how they spend program funds in exchange for tracking and reporting on the academic achievement of migratory students in the State.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Migrant student education

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#### PROGRAM OUTPUT MEASURES (\$000s)

	<u>2009</u>	<u>2010</u>	<u>2011</u>
Number of students generating funds	485,340	485,340	485,340
SEA program:			
Amount for State grants	\$384,771	\$384,771	\$384,771
Range of awards	\$78-\$139,756	\$69-\$135,300	\$20-\$187,630
Coordination activities:			
Consortium incentive grants	\$3,000	\$3,000	\$3,000
Migrant student information exchange and related coordination activities	\$7,000	\$7,000	\$7,000

#### PROGRAM PERFORMANCE INFORMATION

##### Performance Measures

This section presents selected program information, including, for example, GPRA goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the resources provided in previous years, and in 2011 and future years, and the resources and efforts invested by those served by this program.

**Goal: To assist all migrant students in meeting challenging academic standards and achieving graduation from high school (or a GED program) with an education that prepares them for responsible citizenship, further learning, and productive employment.**

**Objective:** *Along with other Federal programs and state and local reform efforts, the Migrant Education Program (MEP) will contribute to improved school performance of migrant children.*

<b>Measure:</b> The number of States meeting an annually set performance target in reading at the elementary school level for migrant students.		
<b>2007</b>	20	30
<b>2008</b>	22	27
<b>2009</b>	31	
<b>2010</b>	33	
<b>2011</b>	35	

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Migrant student education

<b>Measure:</b> The number of States meeting an annually set performance target in reading at the middle school level for migrant students.		
Year	Target	Actual
2007	21	24
2008	23	21
2009	25	
2010	27	
2011	29	

<b>Measure:</b> The number of States meeting an annually set performance target in mathematics at the elementary school level for migrant students.		
Year	Target	Actual
2007	24	31
2008	26	35
2009	31	
2010	33	
2011	35	

<b>Measure:</b> The number of States meeting an annually set performance target in mathematics for middle school migrant students.		
Year	Target	Actual
2007	18	23
2008	20	23
2009	23	
2010	25	
2011	27	

**Source:** Consolidated State Performance Reports.

**Assessment of progress:** The measures call for States to reach annually set performance targets; the current target is that 50 percent of migrant students perform at the proficient or above level on State reading and mathematics assessments. As more States reach the initial target level, the Department will raise the target accordingly. The number of States reporting at least 50 percent of migrant students performing at the proficient or above level on State reading assessments in the elementary and middle school grades decreased between fiscal year 2007 and fiscal year 2008. In mathematics, the number of States reporting at least 50 percent of migrant students performing at the proficient or above level on State assessments increased in the elementary grades and remained the same in the middle school grades between fiscal year 2007 and fiscal year 2008. The target goal was met in every case except for the number of States meeting the performance target for reading in the middle school grades.

Based on State data, 43.6 percent of migrant 4<sup>th</sup>-grade students were proficient in reading and 51.7 percent in math in 2008, an increase from 43.5 percent in reading and 50.8 percent in math in 2007. For 8<sup>th</sup>-grade migrant students, 40.6 percent were proficient in reading in 2008 and

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Migrant student education

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38.3 percent in math, an increase from 37.6 percent in reading and 35.4 percent in math in 2007. Data for 2009 will be available in early 2011.

<b>Measure:</b> The number of States meeting an annually set performance target for dropout rate for migrant students.		
Year	Target	Actual
2006	17	27
2007	18	32
2008	19	
2009	27	
2010	29	
2011	31	

<b>Measure:</b> The number of States meeting an annually set performance target for high school graduation of migrant students.		
2006	15	18
2007	16	27
2008	17	
2009	18	
2010	19	
2011	20	

**Source:** Consolidated State Performance Reports.

**Assessment of progress:** The measures call for States to reach annually set performance targets; the current targets are that 50 percent or fewer migrant students drop out of school and that 50 percent or more migrant students graduate from high school.

The number of States with 50 percent or fewer migrant students dropping out of school was 27 in 2006, and the number increased to 32 States in 2007, surpassing the target of 18 States. The number of States with 50 percent or more migrant students graduating from high school was 18 in 2006, and the number increased to 27 in 2007, surpassing the target of 16 States for that year. Data for 2008 will be available in early 2011. Note that variation in States' calculation of dropout rates limits the validity of comparisons across the States. This measure will have greater validity and reliability over time as State procedures for calculating and reporting dropout and graduation rates stabilize, and as they include all migrant students appropriately in the calculations and properly disaggregate and report results.

### Efficiency Measures

The Department established an efficiency measure associated with the transfer of migrant student records. The efficiency measure will assess annual changes in the percentage of actively migrating students for which the Migrant Student Information Exchange (MSIX) system has consolidated records that reflect a complete history of school and health information. The MSIX integrates procedures designed to achieve efficiencies and cost reductions by linking

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Migrant student education

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separate State and local efforts to transfer health and education records into a single system that can be used within and across all States.

<b>Measure:</b> The percentage of consolidated records for migrant students that have been entered into MSIX.		
Year	Target	Actual
2009	50	26.5
2010	75	
2011	100	

**Assessment of progress:** The system began collecting data from a number of States in December 2007, but not every State had access to the system at that time. The Department is now working with States to ensure they put in place data systems that meet the appropriate technical standards needed to connect to MSIX. Although the program did not meet the target of 50 percent for 2009, the data represents records from 20 of the 48 States participating in the program.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

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### **Neglected and delinquent children and youth education**

(Elementary and Secondary Education Act of 1965, Title I, Part D, Subpart 1)

FY 2011 Authorization (\$000s): To be determined<sup>1</sup>

Budget Authority (\$000s):

<u>2010</u>	<u>2011</u>	<u>Change</u>
\$50,427	\$50,427	0

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<sup>1</sup> The GEPA extension expired September 30, 2008. The program is authorized in FY 2010 through appropriations language. Reauthorizing language is sought for FY 2011.

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### **FY 2011 BUDGET REQUEST**

The Neglected and Delinquent (N and D) program provides financial assistance to State educational agencies (SEAs) for provision of education services to neglected and delinquent children and youth in local and State-run institutions, attending community day programs, and in correctional facilities. Funds are allocated to States through a formula based on the number of children in State-operated institutions and per-pupil education expenditures for the State. Each State's N and D allocation is generated by child counts in State institutions that provide at least 20 hours of instruction from non-Federal funds; adult correctional institutions must provide 15 hours a week. State institutions serving children with an average length of stay of at least 30 days are eligible to receive funds. Adult correctional institutions must give priority for services to youth who are likely to be released within a 2-year period.

Like other Title I programs, the N and D program requires institutions receiving funds to gear their services to the State standards that all children are expected to meet. All juvenile facilities may operate institution-wide education programs in which they use Title I funds in combination with other available Federal and State funds; the institution-wide option allows juvenile institutions to serve a larger proportion of their eligible population and also to align their programs more closely with other education services in order to meet participants' educational and occupational preparation needs. States are required to reserve between 15 and 30 percent of their allocations for projects to help N and D participants make the transition from State institutions to locally operated programs or to support the successful entry of youth offenders into postsecondary and vocational programs.

The Department may reserve up to 2.5 percent of the appropriation for national activities, including the development of a uniform model to evaluate Title I, Part D, Subpart 1 programs, and technical assistance to help build the capacity of State agency programs.

This is a forward-funded program. Funds become available for obligation from July 1 of the fiscal year in which they are appropriated and remain available through September 30 of the following year.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Neglected and delinquent children and youth education

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Funding levels for the past 5 fiscal years were as follows:

	(\$000s)
2006 .....	\$49,797
2007 .....	49,797
2008 .....	48,927
2009 .....	50,427
2010 .....	50,427

### FY 2011 BUDGET REQUEST

For 2011, the Administration requests \$50.4 million, the same as the 2010 level, to help an estimated 132,000 Neglected and Delinquent (N and D) students return to and complete school and obtain employment after they are released from State institutions. The fiscal year 2011 appropriation would support the first year of a reauthorized program.

In terms of academic achievement, the youth served by this program are, on average, 3 years behind in grade level and generally lack job skills. A 1996 study conducted by the Educational Testing Service (ETS) found that, while most of the inmates in America's prisons would eventually be paroled, two-thirds did not have the literacy skills needed to function in society. The findings of the ETS report show the importance of educating and preparing neglected and delinquent youth for further education or to enter the workforce.

Moreover, the Department has some evidence that the program is producing positive outcomes. Although only early data on the academic proficiency gains of participating students are available, the initial results are promising. An evaluation of the program (2000) showed that over 80 percent of participating institutions provided reading and math instruction, and data reported by States in ESEA Consolidated State Performance Reports for the 2005-06 and 2006-07 school years indicate that approximately 70 percent of students enrolled in an N and D program or facility for 90 or more consecutive calendar days showed improved performance on assessments in reading and math. In addition, the percentage of participating students earning high school course credits while in an N and D program appears to be increasing. The Department is continuing to provide technical assistance to States to help ensure that they are providing effective transition services to enable students to continue their schooling or seek employment. The Department is also continuing to develop better means of tracking data on achievement once students leave institutions, including data on high school graduation rates for program participants.

The population served by this program is extremely disadvantaged and isolated. Most have encountered challenges in school before entering the program and need skills that will help them reenter school or obtain a job after release. An earlier evaluation of the program (1991) showed that: (1) about half of program participants enrolled in school when they left the institution, but many subsequently dropped out; and (2) most participants found jobs after being released, but they were typically low-paying, and about two-thirds of the employed youth had more than one job. According to a 2006 report by the Department of Justice's Office of Juvenile Justice and Delinquency Prevention, the number of delinquency cases processed by juvenile

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Neglected and delinquent children and youth education

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courts increased 6 percent between 1993 and 2002. There were nearly 92,000 delinquents in juvenile facilities in 2003.

From the 2011 request, the Department would reserve approximately \$1.3 million to continue to provide technical assistance and other services through the National Evaluation and Technical Assistance Center for Children who are Neglected, Delinquent, or At-Risk, which the Department established with N and D national activities funds. Some of the center's activities include: (1) developing a national model for evaluating the effectiveness of N and D programs; (2) collecting and disseminating information on tools and effective practices that can be used to support N and D youth; and (3) providing technical assistance, using experts and practitioners, to State agencies.

The N and D program is authorized by the Elementary and Secondary Education Act of 1965 and is, therefore, subject to reauthorization. The budget request assumes that the program will be implemented in fiscal year 2011 under reauthorized legislation, and the request is based on the Administration's reauthorization proposal. That proposal would not substantively revise the Neglected and Delinquent Children and Youth Education program, but would direct Title I, Part A funds more effectively to locally operated institutions for neglected and delinquent children.

### PROGRAM OUTPUT MEASURES (\$000s)

	<u>2009</u>	<u>2010</u>	<u>2011</u>
Number of participating institutions	786	786	786
Estimated number of students served	131,860	131,860	131,860
Average Federal contribution Per child (whole dollars)	\$382	\$382	\$382
Range of awards to States	\$70-2,954	\$70-2,956	\$70-2,956
Average State award	\$946	\$946	\$946
National activities	\$1,261	\$1,261	\$1,261

### PROGRAM PERFORMANCE INFORMATION

#### Performance measures

This section presents selected program performance information, including GPRA goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the resources provided in previous years and those requested in fiscal year 2011 and future years, and the resources and efforts invested by those served by this program.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Neglected and delinquent children and youth education

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**Goal:** To ensure that neglected and delinquent children and youth will have the opportunity to meet the challenging State standards needed to further their education and become productive members of society.

**Objective:** *Neglected or delinquent (N or D) students will improve academic and vocational skills needed to further their education.*

<b>Measure:</b> The percentage of neglected or delinquent students obtaining a secondary school diploma or its recognized equivalent while in the N and D program.		
Year	Target	Actual
<b>2006</b>	11.0	11.2
<b>2007</b>	11.6	10.3
<b>2008</b>	12.2	11.8
<b>2009</b>	12.8	
<b>2010</b>	13.4	
<b>2011</b>	14.1	

**Assessment of progress:** Student counts for this measure are based on the number of long-term N and D students (those enrolled in a participating program or facility for 90 or more consecutive calendar days). Data collected in 2005 provided the first data collection from all 52 grantees and established a working baseline for subsequent performance targets. In 2006, 11.2 percent of long-term N and D students received a secondary school diploma or equivalent while participating in the program, exceeding the target. In 2007, 10.3 percent of N and D students, less than the target, received a secondary school diploma or equivalent while participating in the program. In 2008, 11.8 percent of N and D students received a secondary school diploma or equivalent, demonstrating progress but falling short of the target. Data for 2009 will be available in June 2010.

<b>Measure:</b> The percentage of neglected or delinquent students earning high school course credits.		
Year	Target	Actual
<b>2006</b>	58.8	47.7
<b>2007</b>	61.7	50.1
<b>2008</b>	64.8	50.5
<b>2009</b>	55.2	
<b>2010</b>	58.0	
<b>2011</b>	60.9	

**Assessment of progress:** The Department collected data in 2005 as the baseline for this indicator; however, grantees reported inconsistent data, including information for adults. In 2006, with improved data collection and reporting, program staff re-assessed information reported in 2005, using counts of the population of students between the ages of 11 and 21 in neglected, juvenile detention, and juvenile correctional institutions. Using these new criteria, the Department determined that approximately 56 percent of N and D students earned high school course credits in 2005 and established targets for subsequent years based on a 5-percent increase from the 2005 baseline. The 2006 target was not met.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Neglected and delinquent children and youth education

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In 2007, the Department began using a new data collection methodology for this measure. The revised student count uses the more appropriate count of students between the ages of 13 and 21 in neglected, juvenile detention, and juvenile correctional institutions. Students in adult corrections are not included in the calculation. In 2007, 50.1 percent of N and D students earned high school course credits, less than the target. The 2007 level omits data received from three States, representing about 9 percent of all N and D students, that may have submitted inaccurate information for this performance measure. In 2008, 50.5 percent of N and D students earned high school course credits, showing some progress but falling short of the target. The Department established targets for 2009 and subsequent years based on a 5-percent increase from the 2007 baseline. Data for 2009 will be available in June 2010.

<b>Measure:</b> The percentage of long-term neglected or delinquent students who improve reading skills as measured through State-approved assessments.		
Year	Target	Actual
2006	76.2	70.1
2007	80.0	70.3
2008	84.0	71.1
2009	88.2	
2010	92.6	
2011	97.2	

<b>Measure:</b> The percentage of long-term neglected or delinquent students who improve mathematics skills as measured through State-approved assessments.		
Year	Target	Actual
2006		69.2
2007	72.7	72.9
2008	76.4	72.2
2009	80.2	
2010	84.2	
2011	88.4	

**Assessment of progress:** In 2007, the Department developed two new measures to track improvements in the reading and mathematics skills of N and D participants. Student counts are based on the number of long-term students (those enrolled in a participating program or facility for 90 or more consecutive calendar days) who are in N and D institutions and complete pre- and post-testing in reading and mathematics. These are not the same as the State assessments required under ESEA Title I and do not necessarily reflect State proficiency levels. Data collected in 2005 and 2006 provided performance baselines for reading and mathematics targets, respectively. In 2006, 70.1 percent of long-term N and D students showed improvement in reading skills as measured through State-approved assessments, and 69.2 percent of long-term N and D students showed improvement in mathematics skills. In 2007, 70.3 percent of N and D students demonstrated improved reading skills and 72.9 percent showed improved mathematics skills. However, three States, representing about 11 percent of all the students in the program, did not report on these two performance measures in 2007. In

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

### Neglected and delinquent children and youth education

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2008, 71.1 percent of N and D students showed improved reading skills and 72.2 percent showed improved mathematics skills. Data for 2009 will be available in June 2010.

#### Efficiency Measure

<b>Measure:</b> The cost per high school diploma or equivalent.		
<b>Year</b>	<b>Target</b>	<b>Actual</b>
<b>2006</b>	\$4,789	4,421
<b>2007</b>	4,502	4,974
<b>2008</b>	4,232	4,418
<b>2009</b>	3,978	
<b>2010</b>	3,739	
<b>2011</b>	3,515	

**Assessment of progress:** The Department developed an efficiency measure for the N and D program: the cost per high school diploma or equivalent. This measure attempts to determine program cost efficiency by tracking the ratio of the number of participating students achieving a high school diploma or its equivalent to the cost of the program. In 2005, the first year in which this measure was used, the cost per high school diploma or equivalent was \$5,095. In 2006, this measure decreased to \$4,421. In 2007, the cost per high school diploma or equivalent increased to \$4,974, still higher than the target. The 2007 result excludes data from one State, representing less than 2 percent of the total number of N and D students that may have submitted inaccurate data for this measure. In 2008, the cost per high school diploma or equivalent fell to \$4,418, exceeding the target. Data for 2009 will be available in June 2010.

#### Other Performance Information

A 1998 study, conducted by the National Council on Crime and Delinquency, examined data from seven States to gauge the feasibility of collecting data that could be used to estimate the impact of correctional education services on incarcerated youth. The study determined that, with assistance, some States could provide reliable data on dropout rates, recidivism, diploma and degree completions, and employment. According to a Department study in 2001, 46 State agencies maintained data on the number of GEDs earned by Neglected and Delinquent students but only 20 State agencies maintained data on the number of school credits earned.

In addition, the Research Triangle Institute's *Study of Local Agency Activities under the Title I, Part D, Program* (2000) found that although all districts participating in the study made attempts to collect student achievement data, these data were typically incomplete and, because of high student mobility, measures of student gains on test scores are especially difficult for districts to obtain. States' development of longitudinal student data systems and the Department's collection of future years' N and D data through the ED*Facts* electronic data system should improve the quality and consistency of student data.

## ACCELERATING ACHIEVEMENT AND ENSURING EQUITY

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### Homeless children and youth education

(McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B)

FY 2011 Authorization (\$000s): To be determined<sup>1</sup>

Budget Authority (\$000s):

<u>2010</u>	<u>2011</u>	<u>Change</u>
\$65,427	\$65,427	0

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<sup>1</sup> The GEPA extension expired September 30, 2008. The program is authorized in FY 2010 through appropriations language. Reauthorizing language is sought for FY 2011.

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### PROGRAM DESCRIPTION

To help ensure that all homeless children and youth have equal access to the same free, appropriate public education available to other children, the Education for Homeless Children and Youths program provides assistance to States, Outlying Areas, and the Department of the Interior's Bureau of Indian Education (BIE) to: (1) establish or designate an Office of Coordinator of Education of Homeless Children and Youths; (2) develop and carry out a State plan for the education of homeless children; and (3) make subgrants to local educational agencies to support the education of those children.

The Department allocates funds to States through a formula based on each State's share of Title I Grants to Local Educational Agencies. Each State receives a minimum annual award that is the greater of \$150,000, 0.25 percent of the total, or the amount of the State's fiscal year 2001 award. Under a Memorandum of Agreement with the Department, the Department of the Interior/Bureau of Indian Activities receives 1 percent of the appropriation to serve homeless children and youth attending schools funded by the Bureau. The Department is also authorized to reserve 0.1 percent of each year's appropriation for grants to the Outlying Areas and to withhold funds sufficient to provide technical assistance (if requested by a State educational agency (SEA)), and conduct evaluation and dissemination activities.

A State may reserve up to 25 percent (or in the case of States receiving the minimum award, 50 percent) of its formula grant for State-level activities. With the remaining funds, it must make subgrants to local educational agencies (LEAs). LEAs have considerable flexibility in using their subgrant funds, and may use them for such activities as providing enriched supplemental instruction, transportation, professional development, referrals to health care, and other services to facilitate the enrollment, attendance, and success in school of homeless children, including preschool-aged children, and youth.

The McKinney-Vento Act explicitly prohibits States that receive program funds from segregating homeless students in separate schools, except for short periods of time for health and safety emergencies or to provide temporary, special, supplementary services. However, it exempts from that prohibition separate schools for homeless children or youth that were operating in

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### Homeless children and youth education

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fiscal year 2000 in four counties (San Joaquin, Orange, and San Diego counties in California, and Maricopa County in Arizona) if those schools and their districts meet certain requirements.

The American Recovery and Reinvestment Act of 2009 (ARRA) provided an additional \$70 million in fiscal year 2009 for formula grants to SEAs based on each State's share of the national number of homeless students identified during the 2007–2008 school year. The Department made these grants in March 2009, and SEAs are in the process of making subgrants to LEAs through competitive or formula grants. SEAs may reserve up to 25 percent of the total Homeless funds they receive through regular fiscal year 2009 and ARRA grants for State-level activities. States receiving a minimum award, equal to 0.25 percent of the total fiscal year 2009 and ARRA appropriation, may reserve up to 50 percent of these funds for State-level activities.

Also in 2009, the Homeless Education Disaster Assistance (HEDA) program received a \$15 million appropriation through the 2008 Disaster Relief and Recovery Supplemental Appropriations Act. These funds provided financial assistance to LEAs whose enrollment of homeless students increased as a result of a natural disaster that occurred in calendar year 2008. While funds for HEDA were not appropriated under the Education for Homeless Children and Youths program, HEDA is supporting activities that address the educational and related needs of homeless students consistent with the requirements of the McKinney-Vento Act.

The Education for Homeless Children and Youths program is a forward-funded program. Funds become available for obligation on July 1 of the fiscal year in which they are appropriated and remain available through September 30 of the following year.

Funding levels for the past 5 fiscal years were as follows:

	(\$000s)
2006 .....	\$61,871
2007 .....	61,871
2008 .....	64,067
2009 .....	65,427
Recovery Act.....	70,000
2010 .....	65,427

### FY 2011 BUDGET REQUEST

For fiscal year 2011, the Administration requests \$65.4 million for the Homeless Children and Youth Education program (renamed through reauthorization), the same as the enacted 2010 appropriation. The funds help maintain services to an especially disadvantaged population that is difficult to identify and serve. They support the activities of State coordinators and State subgrants to LEAs. In addition, from the total amount, approximately \$921,000 would support the continuation of technical assistance, evaluation, and dissemination activities to provide assistance to States and LEAs in carrying out program activities.

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The fiscal year 2011 appropriation would fund the first year of operations under a reauthorized program. The Administration will propose to make several changes to the program through Elementary and Secondary Education Act (ESEA) reauthorization. Program funds would be allocated to States based on the most recent State-reported data available to the Department rather than on State share of Title I Grants to LEAs. In recent years, the Department has worked with States to improve the accuracy of student counts, and believes that these improved counts will provide a better indicator of relative State need than do Title I State shares. An additional change would be the elimination of an exemption to the prohibition against operating separate schools for homeless youth because homeless students are unlikely to receive a high-quality education in a segregated environment and because of the stigma attached to any group of students when they are in segregated schools. The Administration may also seek to align the uses of funds under the program with the reforms promoted in general through the reauthorization proposal.

This program is an important component of the national effort to end the cycle of homelessness. It also addresses the goals of the Elementary and Secondary Education Act by giving States needed assistance in providing homeless children and youth with learning opportunities that enable them to make significant academic progress. Toward that end, the program facilitates the enrollment of homeless students in school and gives them access to services available to other children, such as preschool programs, special education, gifted and talented programs, and career and technical education. Homeless children face many barriers that impede their educational access and success, such as immunization, transportation, and guardianship requirements. This program helps to reduce and eliminate those barriers.

### PROGRAM OUTPUT MEASURES (\$000s)

	<u>2009</u>	<u>2010</u>	<u>2011</u>
Average State award	\$1,230	\$1,230	\$1,227
With ARRA funds	\$2,576	0	0
Evaluation and dissemination	\$735	\$735	\$921
Amount to Outlying Areas	\$65	\$65	\$65
With ARRA funds	\$135	0	0
Amount to BIE	\$654	\$654	\$654
With ARRA funds	\$1,354	0	0

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#### PROGRAM PERFORMANCE INFORMATION

##### Performance Measures

This section presents selected program performance information, including, for example, GPRA goals, objectives, measures, and performance targets and data; and an assessment of the progress made toward achieving program results. Achievement of program results is based on the cumulative effect of the resources provided in previous years and those requested in FY 2011 and future years, and the resources and efforts invested by those served by this program.

**Goal: To ensure access of homeless children and youth to the same free, appropriate public education as is provided to other children and youth.**

**Objective:** *Homeless children and youth will have greater access to a free and appropriate public education.*

<b>Measure:</b> The percentage of homeless children and youth, grades three through eight, included in statewide assessments in reading and mathematics, as reported by LEA subgrantees.				
Year	Target – Reading	Actual – Reading	Target – Math	Actual – Math
2007	60	73	60	72
2008	63	74	63	74
2009	66		66	
2010	69		69	
2011	72		72	

<b>Measure:</b> The percentage of assessed homeless students, grades three through eight, who meet or exceed proficiency on State assessments in reading and mathematics.				
Year	Target – Reading	Actual – Reading	Target – Math	Actual – Math
2007	50	45	50	46
2008	52	45	52	45
2009	55		55	
2010	57		57	
2011	60		60	

**Source of data:** U.S. Department of Education, Consolidated State Performance Report

**Assessment of progress:** In 2008, the targets for the performance measures that focus on student participation in State assessments in reading and mathematics were exceeded. However, the program did not meet the targets for the percentages of homeless students meeting or exceeding proficiency in reading or mathematics. Data for 2009 will be available in spring 2010.

The Department has worked to improve performance and reporting for the participation measures by providing technical assistance and requiring States to report on these measures through the Consolidated State Performance Report (CSPR) and the Education Data Exchange Network (EDEN). In 2008, Department staff and the program's technical assistance provider,

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the National Center for Homeless Education (NCHE), developed an action plan for improving student assessment participation rates. Staff from NCHE convened a task force of State coordinators and local district liaisons to support State coordinators in collecting more complete and reliable data for subsequent data collections. NCHE and Department staff discussed the issue with State coordinators during conference calls and at State coordinators' meetings, and NCHE revised and expanded its *Guide to the CSPR*. In addition, NCHE and Department staff have provided specific technical assistance to States that are known to have difficulty providing complete and reliable data. Finally, the Department's Policy and Program Studies Service is going to conduct a national evaluation of the Education for Homeless Children and Youths program, to begin in the summer of 2010.

#### Efficiency Measure

The Department established one efficiency measure for the Education for Homeless Children and Youths program: the number of days it takes the Department to send a monitoring report to a State after a monitoring visit.

<b>Measure:</b> The number of days it takes the Department to send a monitoring report to States after monitoring visits.		
Year	Target	Actual
2007	41	60
2008	40	42
2009	40	25.5
2010	40	
2011	40	

**Assessment of progress:** The Department surpassed the target in 2009.