
Note: The following contains basic requirements for districts and schools receiving Title I, Part A funds, but does not represent a complete list of legal obligations of such districts and schools. Those districts and schools that receive Title I, Part A funds should carefully review federal and state requirements concerning use of those funds.

Each district receiving federal funds under Title I, Part A shall:

1. Use the state academic assessments and other indicators described in the state plan to review annually the progress of each school served under 20 U.S.C. Title I, Part A (federal school improvement programs) to determine whether the school is making adequate yearly progress.
2. At the District's discretion, use any academic assessments or any other academic indicators described in the District's plan to review annually the progress of each school served under Title I, Part A to determine whether the school is making adequate yearly progress.
3. Publicize and disseminate the results of the local annual review to parents, teachers, principals, schools, and the community.
4. Review the effectiveness of the actions and activities the schools are carrying out under Title I, Part A with respect to parental involvement, professional development, and other activities assisted under Title I, Part A.

No Child Left Behind Act of 2001, 20 U.S.C. 6316

'ADEQUATE YEARLY
PROGRESS' DEFINED

The state shall define, based on academic assessments, what constitutes "adequate yearly progress" for the state, all public elementary schools, secondary schools, and districts in the state, toward enabling all public elementary school and secondary school students to meet the state's student academic achievement standards, while working toward the goal of narrowing the achievement gaps in the state, districts, and schools.

'ACADEMIC
ASSESSMENTS'
DEFINED

"Academic assessments" means a state-implemented set of high-quality, yearly student academic assessments that include, at a minimum, academic assessments in mathematics, reading or language arts, and science that will be used as the primary means of determining the yearly performance of the state and of each district and school in the state in enabling all children to meet the state's challenging student academic achievement standards, except that no state shall be required to meet the requirements of Title I, Part A

relating to science assessments until the beginning of the 2007–08 school year.

No Child Left Behind Act of 2001, 20 U.S.C. 6311(b)

IDENTIFICATION FOR
SCHOOL
IMPROVEMENT

The District shall identify for school improvement any elementary school or secondary school served under Title I, Part A that fails, for two consecutive years, to make adequate yearly progress as defined in the state's plan. The identification shall take place before the beginning of the school year following such failure to make adequate yearly progress.

SCHOOL PLAN

Each school identified for school improvement shall, not later than three months after being so identified, develop or revise a school plan, in consultation with parents, school staff, the District serving the school, and outside experts, for approval by the District.

The school plan shall cover a two-year period and shall, as detailed at 20 U.S.C. 6316(b)(3)(A), incorporate strategies; policies; practices; funding; professional development; parental notice; parental involvement; the specific academic issues that caused the school to be identified for school improvement; specific annual, measurable objectives for continuous and substantial progress; and other elements that have the greatest likelihood of ensuring that each group of students enrolled in the school will meet the state's proficient level of achievement on the state academic assessment not later than 12 years after the end of the 2001–02 school year.

The school shall implement the school plan (including a revised plan) expeditiously, but not later than the beginning of the next full school year following the identification. If a plan is not approved prior to the beginning of a school year, such plan shall be implemented immediately upon approval.

The District, within 45 days of receiving a school plan, shall establish a peer review process to assist with review of the school plan and promptly approve the school plan if the plan meets the requirements.

Note: See FDB for the option to transfer to a higher performing school, FDD for school safety transfers, and CNA for transportation of transfer students.

NOTICE TO PARENTS

The District shall promptly provide to a parent or parents (in an understandable and uniform format and, to the extent practicable, in a language the parents can understand) of each student enrolled in an elementary school or a secondary school identified for school improvement, for corrective action, or for restructuring:

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1. An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary schools or secondary schools served by the District and TEA. [See GND]
2. The reasons for the identification.
3. An explanation of what the school identified for school improvement is doing to address the problem of low achievement.
4. An explanation of what the District or TEA is doing to help the school address the achievement problem.
5. An explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement.
6. An explanation of the parents' option to transfer their child to another public school, with transportation provided by the District when required or to obtain supplemental educational services for the child. [See CNA]

SUPPLEMENTAL
EDUCATIONAL
SERVICES

In the case of any school that fails to make adequate yearly progress after identification, or is under corrective action or restructuring, the District serving such school shall arrange for the provision of supplemental educational services to eligible children in the school from a provider with a demonstrated record of effectiveness that is selected by the parents and approved for that purpose by TEA in accordance with reasonable criteria that TEA shall adopt. Nothing contained in this provision shall permit the making of any payment for religious worship or instruction.

An "eligible child" means a child from a low-income family, as determined by the District for purposes of allocating funds to schools under 20 U.S.C. 6313(c).

The District shall continue to provide supplemental educational services to a child receiving such services until the end of the school year in which such services were first received.

WAIVER FROM TEA

At the request of the District, TEA may waive, in whole or in part, the requirement to provide supplemental educational services. TEA shall notify the District, within 30 days of receiving the District's request for a waiver, whether the request is approved or disapproved and, if disapproved, the reasons for the disapproval, in writing.

TECHNICAL
ASSISTANCE

For each school identified for school improvement, the District serving the school shall ensure the provision of technical assis-

tance as the school develops and implements the school plan throughout the plan's duration. Such technical assistance shall include assistance in analyzing data from the academic assessments; in identifying and implementing professional development, instructional strategies and methods that are based on scientifically based research and that have proven effective in addressing the specific instructional issues that caused the school to be identified for school improvement; and in analyzing and revising the school's budget.

Technical assistance may be provided by the District, TEA, a qualified institution of higher education, a private not-for-profit organization or for-profit organization, an educational service agency, or another entity with experience in helping schools improve academic achievement. Technical assistance provided by the District or an entity approved by the District shall be based on scientifically based research.

FAILURE TO MAKE
AYP AFTER
IDENTIFICATION

ONE YEAR AFTER

In the case of any school served under Title I, Part A that fails to make adequate yearly progress by the end of the first full school year after identification, the District serving such school shall:

1. Continue to provide all students enrolled in the school with the option to transfer to another public school served by the District.
2. Make supplemental educational services available.
3. Continue to provide technical assistance.

TWO YEARS AFTER:
CORRECTIVE
ACTION

In the case of any school served by the District under Title I, Part A that fails to make adequate yearly progress by the end of the second full school year after the identification, the District shall implement a system of corrective action.

The term "corrective action" means action, consistent with state law, that substantially and directly responds to the consistent academic failure of a school that caused the District to take such action, and any underlying staffing, curriculum, or other problems in the school; and is designed to increase substantially the likelihood that each group of students enrolled in the school identified for corrective action will meet or exceed the state's proficient levels of achievement on the state academic assessments. To implement corrective action, the District shall:

1. Continue to provide all students enrolled in the school with the option to transfer to another public school served by the District.

2. Continue to provide technical assistance while instituting any corrective action.
3. Continue to make supplemental educational services available to children who remain in the school.
4. Identify the school for corrective action and take at least one of the following corrective actions:
 - a. Replace the school staff who are relevant to the failure to make adequate yearly progress.
 - b. Institute and fully implement a new curriculum, including appropriate professional development, that is based on scientifically based research and offers substantial promise of improving educational achievement for low-achieving students and enabling the school to make adequate yearly progress.
 - c. Significantly decrease management authority at the school level.
 - d. Appoint an outside expert to advise the school on its progress toward making adequate yearly progress, based on its school plan.
 - e. Extend the school year or school day for the school.
 - f. Restructure the internal organizational structure of the school.

NOTICE OF
CORRECTIVE
ACTION

The District shall publish and disseminate information regarding any corrective action the District takes at a school to the public and to the parents of each student enrolled in the school subject to corrective action, in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand, and through such means as the Internet, the media, and public agencies.

THREE AND FOUR
YEARS AFTER:
SCHOOL
RESTRUCTURING

If, after one full school year of corrective action, a school subject to such corrective action continues to fail to make adequate yearly progress, then the District shall:

1. Continue to provide all students enrolled in the school with the option to transfer to another public school served by the District.
2. Continue to make supplemental educational services available to children who remain in the school.
3. Prepare a plan and make necessary arrangements to carry out alternate governance.

Not later than the beginning of the school year following the year in which the District implements restructuring, the District shall implement one of the following alternative governance arrangements for the school consistent with state law:

1. Reopen the school as a public charter school.
2. Replace all or most of the school staff (which may include the principal) who are relevant to the failure to make adequate yearly progress.
3. Enter into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to operate the public school.
4. Turn the operation of the school over to the TEA, if permitted under state law and agreed to by the state.
5. Execute any other major restructuring of the school's governance arrangement that makes fundamental reforms, such as significant changes in the school's staffing and governance, to improve student academic achievement in the school and that has substantial promise of enabling the school to make adequate yearly progress.

NOTICE OF
SCHOOL
RESTRUCTURING

The District shall provide prompt notice to teachers and parents whenever restructuring provisions apply and provide them with an adequate opportunity to comment before taking any action for restructuring and to participate in developing any restructuring plan.

DURATION

If any school identified for school improvement, corrective action, or restructuring makes adequate yearly progress for two consecutive school years, the District shall no longer subject the school to the requirements of school improvement, corrective action, or restructuring or identify the school for school improvement for the succeeding school year.

STATE ASSISTANCE
AND INTERVENTION

TEA shall identify the District for improvement, provide technical assistance, and finally take corrective action in the manner prescribed by 20 U.S.C. 6316(c). If the District is identified for corrective action, TEA shall take at least one of the following actions:

1. Defer programmatic funds or reduce administrative funds.
2. Institute and fully implement a new curriculum.
3. Replace the District personnel who are relevant to the failure to make adequate yearly progress.

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4. Remove particular schools from the jurisdiction of the District and establish alternative arrangements for public governance and supervision of such schools.
5. Appoint a receiver or trustee to administer the affairs of the District in place of the Superintendent and school Board.
6. Abolish or restructure the District.
7. In conjunction with at least one of the actions listed above, authorize students to transfer to a higher-performing public school operated by another district and provide the students transportation (or transportation costs).

No Child Left Behind Act of 2001, 20 U.S.C. 6316

PARENTAL
INVOLVEMENT

The District's Title I, Part A program shall be planned and implemented with meaningful consultation with parents of participating students.

DISTRICT POLICY

Each district that receives Title I, Part A funds shall develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy. The policy shall be incorporated into the District's plan developed under 20 U.S.C. 6312, establish the District's expectations for parent involvement, and describe how the District will:

1. Involve parents in the joint development of the plan under 20 U.S.C. 6312, and the process of school review and improvement under 20 U.S.C. 6316;
2. Provide the coordination, technical assistance, and other support necessary to assist participating schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance;
3. Build the schools' and parents' capacity for strong parental involvement as described at 20 U.S.C. 6318(e);
4. Coordinate and integrate parental involvement strategies under Title I, Part A with parental involvement strategies under other ESEA programs;
5. Conduct, with the involvement of parents, an annual evaluation of the parental involvement policy as described at 20 U.S.C. 6318(a)(2)(E), and use the findings of the evaluation as described in that section; and
6. Involve parents in the activities of the schools served under this part.

Each school served under Title I, Part A shall jointly develop with, and distribute to, parents of participating children a written parental involvement policy, agreed on by such parents, that shall describe the means for carrying out the requirements of 20 U.S.C. 6318(c)–(f). Parents shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. Such policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school.

No Child Left Behind Act of 2001, 20 U.S.C. Sec. 6318

COMPARABILITY
ASSURANCE

If the District has more than one attendance area for each grade span, as a condition of receiving any Title I funds, it shall file with TEA written assurance that it has established:

1. A Districtwide salary schedule.
2. A policy to ensure equivalence among schools in teachers, administrators, and auxiliary personnel.
3. A policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.

20 U.S.C. 6321(c)(2)

PRIVATE SCHOOLS

After timely and meaningful consultation with appropriate private school officials, the District shall provide eligible disadvantaged children attending private elementary and secondary schools with special education services or benefits under Title I, Part A that are comparable to those provided in public schools. *20 U.S.C. Sec. 6320*

Note: See DBA for qualifications of teachers in Title I programs.

HOMELESS CHILDREN

As a condition of receiving funds under the McKinney-Vento Homeless Education Assistance Improvements Act, the District shall serve homeless children according to their best interests. *McKinney-Vento Homeless Education Assistance Improvements Act of 2001, part of No Child Left Behind Act of 2001, 42 U.S.C. 11432* [See FD, FDC, and FFC]