

**NO CHILD LEFT BEHIND:**

**TITLE I FEDERAL LEGISLATIVE  
EXPECTATIONS**

***AN OVERVIEW FOR PRINCIPALS AND TEACHERS***

The Mid-Atlantic Regional Educational  
Laboratory  
at Temple University



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The Laboratory for Student Success



An Overview for Principals and Teachers

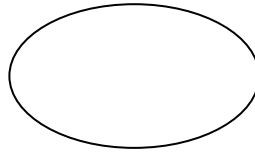
**NO CHILD LEFT BEHIND:  
TITLE I FEDERAL LEGISLATIVE EXPECTATIONS**

Outlined in the No Child Left Behind Act  
of the 2001 Amendments to Title I of the  
Elementary and Secondary Education Act of 1965

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## An Overview of

# **NO CHILD LEFT BEHIND: TITLE I FEDERAL LEGISLATIVE EXPECTATIONS**

Outlined in the No Child Left Behind Act  
of the 2001 Amendments to Title I of the  
Elementary and Secondary Education Act of 1965

## **INTRODUCTION**

Title I of the Elementary and Secondary Education Act of 1965 (ESEA) provides supplementary resources to districts and schools serving large numbers of low-income students to ensure that all children have the opportunity to obtain a high-quality education. In January 2002, the No Child Left Behind Act (NCLB) (P.L. 107-110) reauthorized the ESEA and brought about revised legislative expectations for schools receiving Title I funds. The NCLB focuses on increased accountability at the state, district, and school levels for academic results; expanded options for school choice; and an emphasis on instructional strategies drawn from scientifically based research. The themes of accountability, choice, and scientifically based research drastically change the roles and responsibilities of the education system at the state, district, and school levels to enable educators to meet the needs of all children.

The purpose of this guide is to provide an overview of the legislative expectations of Title I, Part A of the NCLB and its impact on educational practitioners. The guide is organized into the major legislative components of the new law:

- State Standards and Assessments
- Adequate Yearly Progress
- School Improvement, Corrective Action, and Restructuring
- School Choice and Supplemental Services
- Parental Involvement
- Qualifications for Teachers and Paraprofessionals
- Scientifically Based Research

For each of the legislative components, summary statements on the specific legislative expectations are provided and followed by the provision number for reference to the NCLB. The guide concludes with a chart of the roles and responsibilities for district administrators, principals, and teachers within each of the legislative components. The roles and responsibilities are not concrete, but rather should be used to understand how the new law impacts educational practitioners.

# **I. NO CHILD LEFT BEHIND LEGISLATIVE COMPONENTS**

## **A. STATE STANDARDS AND ASSESSMENTS**

Each state is expected to develop and adopt challenging academic content standards and academic achievement standards that will be the same standards applied to all schools and children in the state.

The academic content standards must specify what children are expected to know, contain coherent and rigorous content, and encourage the teaching of advanced skills. [1111(b)(1)(D)(i)]

The academic achievement standards must be aligned with the state's academic content standards and describe three levels of achievement: two levels of high achievement (proficient and advanced) that determine how well students are mastering the state's content standards and a third level of achievement (basic) to determine the progress of low-achieving students towards mastering the proficient and advanced levels of achievement. [1111(b)(1)(D)(ii)]

States are expected to implement high-quality academic assessments of student proficiency in math, reading or language arts, and science. Testing for math and reading or language arts should occur at least once between grades 3 and 5, grades 6 and 9, and grades 10 and 12. However, beginning in the 2005–2006 academic school year, testing will be required annually in grades 3 through 8. Science assessments will be required by the 2007–2008 academic school year at least once between grades 3 and 5, grades 6 and 9, and grades 10 and 12. [1111(b)(3)(C)(v)-(vii)]

Beginning with the 2002–2003 academic school year, states will be expected to annually assess—in English—limited English proficient (LEP) students who have attended school in the United States for three consecutive years. [1111(b)(3)(C)(x)], [1111(b)(7)]

States are expected to produce individual, diagnostic, descriptive, and interpretive student reports that include information regarding achievement on academic assessments. These reports must allow parents, teachers, and principals to understand and address the specific academic needs of students. [1111(b)(3)(C)(xii)]

Local educational agencies (LEAs) are required to develop a plan to support schools with the state content and academic achievement standards. LEA plans must include strategies to assist in diagnosis, teaching, and learning to enable low-achieving students to meet state standards and assessments. [1112(b)(1)(A)]

## **B. ADEQUATE YEARLY PROGRESS**

Each state is expected to develop and implement a single, statewide accountability system based on the state's academic standards and academic assessments to ensure that all LEAs and public schools make adequate yearly progress (AYP).

Each state will define its own adequate yearly progress. The AYP should: (a) apply the same standards of academic achievement to all students; (b) result in continuous and substantial academic improvement for all students; (c) measure the progress of all students on the state assessments; (d) include separate measurable annual objectives for the achievement of set groups of students (all public school students, economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and LEP students); (e) include graduation rates for secondary students; and (f) may include other academic indicators at the state's discretion. [1111(b)(2)(C)]

States must determine a timeline, not less than 12 years from the end of the 2001–2002 school year, to bring 100% of students to the states' proficient level of academic achievement on the states' assessments. The state timeline must include annual, incremental increases in the percentage of students from each subgroup who achieve proficiency. [1111(b)(2)(E)-(H)]

To determine AYP, states may average data from a school with data from the two previous school years. States may also use data across grades in a school. For a school to meet AYP, each group of students must meet or exceed the state's measurable objectives. If a group does not meet the objectives, the school can meet AYP if the percentage of students in the group that did not meet or exceed the proficient level decreases by 10 percent. [1111(b)(2)(I)-(J)]

States are required to establish a program to award schools and teachers for significantly closing the achievement gap or exceeding AYP for two consecutive years. [1117(b)(1)-(3)]

LEAs are required to work in consultation with schools to assist with the development and implementation of schoolwide or targeted assistance programs so that each school will meet AYP. [1112(c)(1)(C)]

LEAs must annually review state academic assessments and other indicators to determine whether schools have met AYP. LEAs must make the results of the annual review available to the parents, teachers, principals, and the community. [1116(a)(1)(A)-(C)]

## **C. SCHOOL IMPROVEMENT, CORRECTIVE ACTION, AND RESTRUCTURING**

### School-level Improvement

Local educational agencies (LEAs) are required to identify for school improvement schools that fail to meet AYP for two consecutive years. The identified schools must develop a two-year school plan that includes: (a) strengthening the core subjects with strategies based on scientifically based research; (b) providing high-quality professional development; (c) establishing specific annual, measurable objectives for continuous and substantial student progress towards the state's proficient level; (d) notifying parents of the school's identification and including strategies for parental involvement; (e) incorporating extended learning time; and (f) developing a teacher mentoring program. [1116(b)(1)(A)], [1116(b)(3)(A)]

LEAs are required to provide technical assistance to schools identified for school improvement. The technical assistance will include assistance in analyzing data; identifying and implementing professional development and instructional strategies that are founded on scientifically based research; and analyzing and revising the school budget. [1116(b)(4)(B)]

The LEA will provide all students enrolled in a school identified for school improvement the option to transfer to another public school served by the LEA that has not been identified for school improvement. The LEA will provide the funds for the cost of transportation. [1116(b)(1)(E)], [1116(b)(9)]

If a school does not meet AYP after the first year of being identified for school improvement, the LEA will continue to provide the students the option to transfer. The LEA will also make supplemental educational services available to students. The LEA will fund the services and assist parents by entering into agreements with the providers of services. [1116(b)(5)], [1116(e)(3)]

If a school does not meet AYP after the second year of being identified for school improvement, the LEA will identify the school as in need of corrective action. Students at the school will continue to have the option to transfer or receive supplemental educational services. The LEA will be required to take one or more corrective actions: (a) replace the school staff who are relevant to the failure to make AYP; (b) institute and fully implement a new curriculum founded on scientifically based research; (c) significantly decrease management authority at the school level; (d) appoint an outside expert to advise the school on its progress towards making AYP; (e) extend the school year or school day for the school; or (f) restructure the internal organizational structure of the school. [1116(b)(7)]

If after one full year of corrective action, a school fails to meet AYP, the LEA is expected to identify the school as in need of restructuring and implement an alternative governance arrangement: (a) reopen the school as a public charter school; (b) replace all or most of the school staff (including the principal) who are relevant to the failure to meet AYP; (c) enter into a contract with a private management company with a demonstrated record of effectiveness to operate the public school; (d) turn the operation of the school over to the state educational agency; or (e) any other restructuring arrangement that makes fundamental reforms. [1116(b)(8)]

A school can end school improvement, corrective action, or restructuring if it makes AYP for two consecutive years. [1116(b)(12)]

Schools that were identified for school improvement, corrective action, or restructuring prior to the enactment of the NCLB will maintain the year of identification and be expected to follow the current timeline for improvement. [1116(f)(1)]

Local Educational Agency Improvement

LEAs are expected to meet AYP set by the state. If an LEA does not meet AYP for two consecutive years, the LEA will be identified for improvement and will have to develop a two-year improvement plan. [1116(c)(3), (7)]

If the LEA does not meet AYP after two years of improvement, the LEA will be identified for corrective action by the state. State corrective actions include: (a) deferring programmatic funds or reducing administrative funds; (b) instituting and fully implementing a new curriculum based on state and local academic and achievement standards; (c) replacing LEA personnel relevant to the failure to make AYP; (d) removing particular schools from the jurisdiction of the LEA and establishing alternative arrangements for public governance and supervision of the schools; (e) appointing, through the state educational agency, a receiver or trustee to administer the affairs of the LEA in place of the superintendent and school board; (f) abolishing or restructuring the LEA; or (g) authorizing students to transfer from a school operated by the LEA to a higher-performing school operated by another LEA. [1116(c)(10)]

#### **D. SCHOOL CHOICE AND SUPPLEMENTAL SERVICES**

Beginning on the first day of the academic year after a school has been identified for school improvement, corrective action, or restructuring, the LEA is required to provide all of the enrolled students the option to transfer to another public school in the district that has not been identified for school improvement. [1116(b)(1)(E)]

The LEA must provide or pay for student transportation to the new school. The LEA may use up to 15% of its Title I allocation to pay for the transportation. If the student's original school meets AYP and is taken out of school improvement, the student may return to the original school or remain at the new school until the completion of the last grade in that school. The LEA is not required to provide or pay for transportation if a student decides to stay at the new school. [1116(b)(9)-(10)], [1116(b)(13)]

If a school identified for school improvement does not meet AYP after the first year, the LEA will make supplemental educational services available. The supplemental services will not be an entitlement to all students in low-performing schools. Priority will be given to the lowest achieving students from low-income families who attend low-performing schools. LEAs are required to use 5% of Title I allocations and may use up to 15% for supplemental services. The total amount LEAs can use for school choice and supplemental services is 20%. [1116(e)(1)], [1116(b)(10)]

States are required to approve the providers of supplemental services and develop a system to monitor the quality and effectiveness of the providers. States can withdraw approval if the providers fail to increase academic achievement. [1116(e)(4)]

LEAs are required to notify parents of the supplemental services available. LEAs are also responsible for selecting the students who will receive services. LEAs must enter into agreements with the providers to develop an educational improvement plan. The LEA can terminate the agreement if the providers fail to improve academic achievement. [1116(e)(2)]

## **E. PARENTAL INVOLVEMENT**

LEAs are required to implement programs, activities, and procedures for the involvement of parents in order to receive Part A funds of Title I. With the help of parents, LEAs must develop and distribute a written policy regarding the LEAs' expectations for parental involvement. [1118(a)]

Schools receiving Part A funds are required to develop a parental involvement policy with the help of parents. The written policy should describe how to include parents in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs. [1118(b)-(c)]

Schools are expected to develop school–parent compacts to explain the shared responsibilities for improved student academic achievement and the means for schools and parents to develop a partnership to assist students in meeting the states' high standards. [1118(d)]

LEAs and schools are required to collaborate to build capacity for effective parental involvement through activities such as helping parents to understand the states' academic standards and assessments and providing materials and literacy training to help parents work with their children. [1118(e)]

LEAs are required to provide: (a) information to parents regarding the level of achievement of the student on state assessments; (b) notification if the student has been taught for four or more weeks by a teacher who is not qualified; and (c) written notification if the school has been identified for school improvement, corrective action, or restructuring. [1111(h)(6)(A)-(B)], [1116(b)(6)]

Schools are also required to provide written notification to parents about the identification of the school for school improvement, corrective action, or restructuring. [1116(b)(3)(A)(vi)]

LEAs must notify parents whose children have been identified for participation in a limited English proficiency (LEP) program not later than 30 days after the beginning of the school year. The notification must include the reasons for identification, the child's level of English proficiency, the methods of instruction in the program, how the program will assist the child, the exit requirements, and the rights of parents to have the child removed from the program. LEAs must also develop a plan for outreach to parents of LEP students to make them active participants in their child's education. [1112(g)(1)(A)]

## F. QUALIFICATIONS FOR TEACHERS AND PARAPROFESSIONALS

### Teachers

States are required to develop a plan to ensure that instructors teaching in core academic subjects are highly qualified by the end of the 2005–2006 school year. The state plans must incorporate annual measurable objectives, including an annual increase in the percentage of highly qualified teachers at each LEA and school and an annual increase in the percentage of teachers receiving high-quality professional development. [1119(a)(2)]

LEAs are required to develop a plan to ensure that all teachers hired after the enactment of the NCLB are highly qualified and that all teachers are highly qualified by the end of the 2005–2006 school year. [1119(a)(3)]

Beginning with the 2002–2003 school year, LEAs are required to notify parents that they can request information regarding the professional qualifications of their student’s classroom teachers. The information includes: (a) whether the teacher has met state qualifications and licensing criteria for the grade levels and subjects taught; (b) whether the teacher is teaching under emergency or other provisional status; (c) the baccalaureate degree major of the teacher and any other graduate degrees; and (d) whether the student is provided services by paraprofessionals and, if so, their qualifications. [1111(h)(6)]

LEAs are required to make certain that principals attest in writing to their school’s compliance with the teacher qualification requirements. [1119(i)(1)]

### Paraprofessionals

LEAs are required to ensure that all paraprofessionals hired after the enactment of the NCLB have met the following requirements: (a) completed at least two years of study at an institution of higher education; (b) obtained an associate’s (or higher) degree; or (c) met a rigorous standard of quality and can demonstrate through a formal state or local assessment knowledge of, and the ability to assist in, instructing reading, writing, and mathematics. Existing paraprofessionals have four years after the enactment of the NCLB to fulfill the requirements. [1119(c)-(d)]

Paraprofessionals who are proficient in English and another language and who primarily act as translators or paraprofessionals who solely conduct parental involvement activities are exempt from the requirements. [1119(e)]

Paraprofessionals may be assigned to provide one-on-one tutoring at a time that the student would not receive instruction from the teacher, assist with classroom management, assist in the computer laboratory, conduct parental involvement activities, provide support in a library or media center, or act as a translator. [1119(g)(2)]

Paraprofessionals may not provide instructional services to students unless the paraprofessional is working under the direct supervision of a teacher. [1119(g)(3)(A)]

LEAs are required to make certain that principals attest in writing to their school’s compliance with the paraprofessional qualification requirements. [1119(i)(1)]

## **G. SCIENTIFICALLY BASED RESEARCH**

The term “scientifically based research” appears throughout the NCLB, but it is not defined until Title I, Part B. The NCLB identifies “scientifically based research” as research that applies rigorous, systematic, and objective procedures; employs a systematic and empirical methodology; involves rigorous data analyses that test a hypothesis and justify the general conclusions; produces results that are valid across evaluators and multiple observations; and has been accepted by a peer-reviewed journal or a comparable review. [1208(6)]

Within Title I, Part A, schoolwide and targeted assistance programs must use strategies founded on scientifically based research to improve core academic programs [1114(b)(1)(B)(ii)], [(1115(c)(1)(C)]. The school plans developed by schools identified for school improvement must use strategies founded on scientifically based research [1116(b)(3)(A)(1)]. Scientifically based research must be applied to technical assistance, professional development activities, and instructional strategies [1116(b)(4)(B)-(C)]. Other Title I programs such as Reading First, Early Reading First, and Family Literacy Programs must use scientifically based research to develop reading instruction systems [1201, 1221, 1231]. And schools that receive Comprehensive School Reform funding must make certain from scientifically based research that the whole school models used will improve academic achievement [1603, 1605, 1606].

The NCLB does not identify the specific strategies that have been proven effective through scientifically based research. The closest the NCLB gets to making recommendations for strategies occurs when describing the assurances that LEAs must make to receive funding. The law states that LEAs should “take into account the experience of model programs for the educationally disadvantaged, and the finding of relevant scientifically based research indicating that services may be most effective if focused on students in the earliest grades at schools that receive funds under this part” [1112(c)(1)(F)]. The NCLB strongly implies here that scientifically based research has found that funds will most effectively impact student achievement in the early grades.

The burden of proof for identifying the instructional strategies, academic programs, school improvement plans, professional development, or technical assistance supported by scientifically based research lies with LEAs and schools. LEAs and schools should work with regional educational laboratories, local universities, and technical assistance providers to determine which strategies are effective and which strategies will work within the context of the LEAs and schools. The definition for “scientifically based research” provided by the NCLB should act as a guideline for examining the effectiveness of educational strategies.

## II. LEGISLATIVE EXPECTATIONS ON ROLES AND RESPONSIBILITIES

	<b>District Administrators</b>	<b>Principals</b>	<b>Teachers</b>
<b>State Standards &amp; Assessments</b>	<ul style="list-style-type: none"> <li>Develop framework of standards and curricular guidelines to support instructional activities that are in line with state standards.</li> <li>Assist schools in identifying students at risk for academic failure through screening, diagnosis, and classroom-based assessments.</li> <li>Provide professional development to meet both content and assessment standards.</li> <li>Develop an infrastructure of support for schools.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure students meet state content and assessment standards by helping with diagnosis, teaching, and learning.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure students meet state content and assessment standards.</li> </ul>
<b>Adequate Yearly Progress (AYP)</b>	<ul style="list-style-type: none"> <li>Work with schools to develop and implement schoolwide and targeted assistance programs with the goal of meeting AYP.</li> <li>Annually review schools' progress towards AYP and make the results available to the public.</li> </ul>	<ul style="list-style-type: none"> <li>Work toward meeting the AYP goal.</li> </ul>	<ul style="list-style-type: none"> <li>Work toward meeting the AYP goal.</li> </ul>
<b>School Improvement, Corrective Action, &amp; Restructuring</b>	<ul style="list-style-type: none"> <li>Identify schools for school improvement, corrective action, or restructuring.</li> <li>Provide technical assistance to identified schools.</li> </ul>	<ul style="list-style-type: none"> <li>If a school is identified for school improvement, the principal must work with the LEA, school staff, parents, and outside experts to develop a two-year school plan.</li> </ul>	<ul style="list-style-type: none"> <li>If a school is identified for school improvement, work with the principal to develop a school plan.</li> </ul>
<b>School Choice &amp; Supplemental Services</b>	<ul style="list-style-type: none"> <li>Provide all students in schools identified for school improvement, corrective action, or restructuring the option of transferring within the LEA.</li> <li>Provide or pay for the cost of transportation for school choice.</li> <li>Provide supplemental services and select eligible students.</li> </ul>	<ul style="list-style-type: none"> <li>Work toward meeting the school improvement goal.</li> </ul>	<ul style="list-style-type: none"> <li>Work toward meeting the school improvement goal.</li> </ul>
<b>Parental Involvement</b>	<ul style="list-style-type: none"> <li>Work with parents to develop a parental involvement plan.</li> <li>Notify parents of student achievement, teacher qualifications, school improvement status, and LEP status.</li> </ul>	<ul style="list-style-type: none"> <li>Work with parents to develop a parental involvement plan.</li> <li>Include parents in Title I programs.</li> <li>Work with parents, students, and school staff to develop school-parent compacts.</li> </ul>	<ul style="list-style-type: none"> <li>Work with the principal, parents, and students to develop school-parent compacts.</li> </ul>
<b>Qualifications for Teachers &amp; Para-professionals</b>	<ul style="list-style-type: none"> <li>Develop a plan for increasing the percentage of qualified teachers to 100% by 2005-2006.</li> <li>Notify parents of teacher qualifications.</li> </ul>	<ul style="list-style-type: none"> <li>Attest in writing to the school's compliance with teacher and paraprofessional requirements.</li> </ul>	<ul style="list-style-type: none"> <li>New teachers must meet the requirements.</li> <li>Existing teachers have four years to meet the requirements.</li> </ul>
<b>Scientifically Based Research</b>	<ul style="list-style-type: none"> <li>Ensure that technical assistance to schools is founded on scientifically based research.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that professional development, school improvement plans, research models, and instructional strategies are founded on scientifically based research.</li> </ul>	<ul style="list-style-type: none"> <li>Schools identified for improvement must utilize instructional strategies that are founded on scientifically based research.</li> </ul>

## CONCLUDING REMARKS

This guide was prepared to serve as a reference to the legislative expectations of Title I, Part A of the No Child Left Behind Act of 2001 (NCLB). It is important to note that this document is not intended to replace the official statements about the Title I program in the NCLB. Readers should refer to the original document of the NCLB legislation (P.L. 107-110) for verification and clarification.

## SOURCES

*No Child Left Behind Act of 2001*, P.L. 107-110. (2002). Retrieved September 17, 2002, from <http://www.ed.gov/legislation/ESEA02/107-110.pdf>

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