

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Improving the Academic Achievement of the Disadvantaged
Title: I Part: A – Improving Basic Programs Operated by Local
Educational Agencies

2. Continuing Program

3. National FFY01 (current) funding: \$8,762,721,000
National FFY02 (next year) funding: \$10,350,000,000
Montana FFY01 funding: \$28,994,848 FFY02 funding: \$34,531,081

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)
- Other/s (list): Provide Support System for Districts and Schools in Improvement

6. Brief description of program.

Title I, Part A authorizes federal aid to state and local educational agencies (SEAs and LEAs) for helping educationally disadvantaged children achieve to the same high state academic achievement standards as all other students. Highlights include the following:

- Annual assessments in grades 3-8 and reading and math by school year 2005-06;
- Retains former law's requirements for annual reading and math assessments in one grade at each grade span of 3-5, 6-9, and 10-12;
- Adds annual assessment in science for one grade at each grade span of 3-5, 6-9, and 10-12 by school year 2007-08;
- Provides at least \$3 million to each state for development and administering the assessments if Congress appropriates at least the "trigger" amounts each year; any additional funds above the "trigger" amounts are distributed proportionately to the states based on population; if "trigger" amounts are not met, state may delay development but must continue to administer tests required under former law;
- State must identify low-performing schools based on two consecutive years of data if not making adequate yearly progress; public school choice must be offered in first year and every year of identification and in the third year supplemental services must be offered and transportation costs provided in either case (up to certain percentages); corrective action must be implemented after four years such as replacing certain staff, and fully implementing new curriculum, in addition to the above.

7. If a continuing program, requirements or changes that are new.

- States must define Adequate Yearly Progress for all students and must apply it specifically to disadvantaged students as well as the overall student population; is intended to help educators, parents, and others discern whether achievement gaps are closing; all students are expected to achieve at Proficient level in 12 years in reading and math; a “safe harbor” provision helps those most behind, but making significant achievement; states must include one other academic indicator and may include other indicators but not to have the effect of keeping schools or districts from being identified for improvement on the academic factors ;
 - Threshold for schoolwide programs drops from 50 percent poverty to 40 percent;
 - State and district report cards required by 2002-03 school year;
 - Students who have attended school in the U.S. for three consecutive years must be tested in English; LEAs must administer an English language proficiency test to all LEP students beginning 2002-03; detailed parental notification to parents if placement in a specialized language instruction program is indicated, giving them choice in the type of program if more than one offered;
 - All references to “content standards” and “achievement standards” are changed to “academic content standards” and “academic achievement standards,” all references to assessments are clarified to “academic assessments” and the term “performance” is replaced with “achievement”;
 - Paraprofessionals (teacher aides) employed with Title I, Part A funds must, not later than three years after enactment, have 1) completed at least two years of study at an institution of higher education, 2) obtained an associate’s or higher degree, or 3) met a rigorous standard of quality which includes an assessment of math, reading and writing; and
 - State must report on increases of “highly qualified” teachers under this Part.
8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).
- Set-aside for school improvement activities increase from .5 percent (or minimum of \$200,000) to 2 percent in 2002-03 and 4 percent in 2004-07 but 95 percent of that must flow through to districts with schools identified for improvement (unless the LEA agrees to have the state retain the money and provide the services). That means the SEA in Montana will be able to retain only about \$34,000 for state level system of support instead of the \$200,000 we used at the state level previously. Although \$500 million per year was authorized for the separate school improvement funding, no money was appropriated. If it had been, 95 percent would flow to districts.
 - State can set-aside up to 5 percent of new funding for schools and teachers in such schools that substantially close the achievement gap; 5 percent more just for identified schools.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: _Reading First_ Title: I Part: B Subpart 1

2. New Program

3. National FFY01 (current) funding: 0 FFY02 (next year) funding: \$900,000 million
Montana FFY01 funding: 0 FFY02 funding: \$2,941,386

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

- Establish reading programs for students K-3 based on scientifically based reading research to ensure children are reading at or above grade level by the end of grade 3;
- Preparing teachers through professional development;
- Provide assistance in selection & administration of reading assessments;
- Provide assistance in selection or development of instructional materials; and
- Strengthen coordination to improve reading achievement.

7. If a continuing program, requirements or changes that are new.

N/A

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

- Assurance that a Reading and Literacy Partnership has been established and several other assurances;
- Annual progress report to the Secretary and consequences for insufficient progress;
- Targeted assistance grants to states beginning in 2004 who demonstrate that increasing percentage of 3rd graders in schools served are reaching proficient level for 2 consecutive years or improving the reading skills of students in grades 1, 2, 3. State must apply and expend 100 percent to make competitive subgrants to eligible LEAs;
- External evaluation—5 year “rigorous, scientifically valid, and quantitative”

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Early Reading First Title: Title I Part: B Subpart 2

2. New Program

3. National FFY01 (current) funding: 0 FFY02 (next year) funding: \$75 million
Montana FFY01 funding: 0 FFY02 funding: not detailed to state level

4. Administered by the U.S. Department of Education

5. Brief description of program.

Eligible districts apply to the Secretary. Competitive grant process—6 year award.
Approval of applications based on peer review panel.

- Support local efforts to enhance early literacy and prereading development of preschool age children;
- Provide preschool age children with high-quality language and literature rich environments;
- Demonstrate language/literacy experience based on scientifically based reading research that supports age appropriate development of key reading skills;
- Use of assessments to identify preschool age children at risk for reading failure; and
- Integrate research based materials and strategies with existing programs—preschool programs, child care agencies, Head Start, and family literacy services.

6. If a continuing program, requirements or changes that are new.

N/A

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: William F Goodling Even Start Family Literacy
Title I Part: B Subpart 3

2. Continuing Program

3. National FFY01 (current) funding: 250,000,000 FFY02 (next year) funding: \$250,000,000
Montana FFY01 funding: \$1,112,500 . FFY02 funding: \$1,122,500

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

William F. Goodling Even Start Family Literacy integrates early childhood education, adult literacy or adult basic education, and parenting education into a unified family literacy program. Even Start programs serve families with young children who are most in need of services, with regard to at least a low level of adult literacy and family income.

7. If a continuing program, requirements or changes that are new.

- Even Start was moved to a new subpart; new section numbers have been assigned to the provision.
- Even Start incorporates changes made during last year's reauthorization (December 31, 2000).
- States can use part of the funds they reserve for State Administration and technical assistance to provide assistance to improve low-performing programs.
- Beginning July 1, 2002, grantees under the state administered program will be exclusively state educational agencies (SEA), rather than any other state agency. This means that, in the future, SEAs will apply for and receive the Even Start formula grant funding, as well as having responsibility for the administration of the program as they have had in the past.
- Even Start programs now are subject to the maintenance of effort provision in section 9521.

- There is no longer a time limit on how many years a local Even Start project may receive federal funding. However, the federal share may not exceed 35 percent in years after year eight.
- Change in the qualification of staff paid with Even Start funds.
- Indicators of Program Quality were submitted and approved by the U.S. Department of Education on June 30, 2001.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: **Improving Literacy Through School Libraries**
Title I, Part B, Subpart 4

2. New Program

3. National FFY01 (current) funding: _____ FFY02 (next year) funding: _____

Montana FFY01 funding: _____ FFY02 funding: _____

4. Administered by:

U.S. Department of Education and/or Office of Public Instruction

If allocation is less than \$100,000,000, Secretary will award competitive grants to LEAs

If allocation is more that \$100,000,000, Secretary will allot to SEAs an amount based on same relation to Title I, Part A allocation.

5. SEA requirements:

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

To improve literacy skills and academic achievement of students by providing students with increased access to up-to-date school library materials, a well-equipped, technologically advanced school library media center, and well-trained professionally certified school library media specialists. Eligible LEAs for a competitive grant from the Secretary are those with a poverty level of 20 percent. Eligible LEAs for a competitive grant from the SEA are those with a poverty level of 15 percent or a poverty level that is greater than the statewide average level of poverty.

7. If a continuing program, requirements or changes that are new. **NA**

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: **Migrant Education Program** Title: **1 Part C**__

2. Continuing Program

3. National FFY01 (current) funding: **\$380,000,000** FFY02 (next year) funding: **_\$396,000,000_**

Montana FFY01 funding: **\$748,481** FFY02 funding: *Estimated \$780,786*

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)
- Other/s (list) Electronic transfer of student educational and health records

6. Brief description of program.

Provides supplemental educational and supportive services to eligible migrant children to help overcome educational disruptions and disadvantages caused by mobility. Children are eligible if they move with parents or guardians (or by themselves in the case of emancipated youth) across school district, county, state or international boundaries in search of work in agriculture, dairy industry or fishing industry. In Montana, six local operating agencies provide such services throughout the entire year; six provide programs primarily in the summer.

7. If a continuing program, requirements or changes that are new.

- a. The most significant change is a hold-harmless requirement beginning in FY03 that would provide every state at least 100 percent of the amount that it received in FY02.
- b. Funding formula for determination of state allocation has changed in that it will be based on actual counts and not FTEs or full time equivalents.
- c. Adds requirement for development of effective methods for electronic transfer of records for all states.
- d. Continues to require state assessment systems enable disaggregation of testing results for identified migrant students tested within the state.

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

Inclusion of migrant children in assessment programs continues to be an on-going requirement for which LOAs will need guidance.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: State Agency – Neglected & Delinquent
Title: I, Part: D, Subpart 1

2. Continuing Program

3. National FFY01 (current) funding: \$46,000,000
FFY02 (next year) funding: \$48,000,000

Montana FFY01 funding: \$101,102 FFY02 funding: \$106,682

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

Provide and improve educational services for neglected & delinquent and at-risk youth of the state.

7. If a continuing program, requirements or changes that are new.

SEA set aside for transition services. (from 10 percent to 15 percent minimum and up to 30 percent)

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

SEA or facility must designate an individual to deal with N&D related issues.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Local – Neglected & Delinquent Title: I, Part: D, Subpart 2

2. Continuing Program

3. National FFY01 (current) funding: Unknown
FFY02 (next year) funding: Unknown

Montana FFY01 funding: _\$137,092____
FFY02 funding: not available until March

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

To support LEA programs in collaboration with local correctional facilities.

7. If a continuing program, requirements or changes that are new.

Primary emphasis on transition services from corrections facility to school or work.

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

Special attention to Special Education qualified students.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: _LOCAL – Neglected and Delinquent Title: I Part: D Subpart 2

2. Continuing Program

3. National FFY01 (current) funding: Unknown FFY02 (next year) funding: Unknown

Montana FFY01 funding: \$137,092 FFY02 funding: Not available until March

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

To support LEA programs in collaboration with local correctional facilities.

7. If a continuing program, requirements or changes that are new.

Primary emphasis on transition services from corrections facility to school or work.

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

Special attention to Special Education qualified students.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: **Comprehensive School Reform**
Title I, Part F

2. Continuing Program

3. National FFY01 (current) funding: \$260,000,000 FFY02 (next year) funding: \$235,000,000

Montana FFY01 funding: **\$713,492** FFY02 funding: **\$765,481**

4. Administered by the Office of Public Instruction

5. SEA requirements

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

To provide financial incentives for schools to develop comprehensive school reforms, based upon scientifically based research and effective practices that include an emphasis on basic academics and parental involvement so that all children can meet challenging state academic content and academic achievement standards. SEAs award competitive subgrants to LEAs that are eligible for Title I, Part A funds, in an amount not less than \$50,000. Subgrants are renewable for two additional years if the schools are making substantial progress in the implementation of reforms. Priority shall be given to LEAs that plan to use the funds in schools identified as being in need of improvement or corrective action, and, demonstrate a commitment to assist school with budget allocation, professional development, and other strategies necessary to ensure the comprehensive school reforms are properly implemented and are sustained in the future.

7. If a continuing program, requirements or changes that are new.

No significant new requirements or changes.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Advanced Placement Programs Title: I, Part: G

2. New Program

3. National FFY01 (current) funding: \$22 million FFY02 (next year) funding: \$22 million

Montana FFY01 funding: \$222,457 FFY02 funding: approx \$222,500

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Submit plan to USDE (grant application)
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program:

To increase the number of students who participate and succeed in AP programs, and increase the number of students taking AP exams. Broaden the range and diversity of schools that have AP or pre-AP opportunities, and provide greater access to AP of low-income or disadvantaged students, or for schools that don't offer AP; to increase the number of students receiving an advanced degree and decrease the amount of time it takes to attain such. **Two parts:** 1) Priority for funding is grants to cover part or all of costs of AP test fees for low-income individuals. 2) If funding remains, three-year competitive grants may be awarded to SEAs, LEAs or national nonprofits that show pervasive need for access to AP incentive programs. Eligible activities are primarily teacher training in AP or pre-AP, and electronic delivery of AP courses to students.

7. If a continuing program, requirements or changes that are new.

Sec 1705 (b) (3) page 300: assures availability of matching funds to support the cost of activities. This is new language this year and relates to another new provision that includes LEAs as eligible applicants. (See item 8)

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

With the introduction of LEAs as eligible applicants, the competition will probably be more intense. Inclusion of LEAs was a political compromise to keep the legislation alive. This new provision is apparently what stimulated the matching funds language (Sec 1705).

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: School Dropout Prevention Title: I Part: H

2. National FFY01 (current) funding: ___ FFY02 (next year) funding: _\$125 million and such sums for 5 succeeding fiscal years (10 percent subpart 1; 90 percent subpart 2)

Montana FFY01 funding: _____ FFY02 funding: _____

3. SEA requirements: (check if appropriate)

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Accountability (not fiscal) (survey's, assessments, performance measures)

4. Brief description of program.

Subpart 1: Coordinated National Strategy: 10 percent of funds per year for national activities to collect data and establish a national clearinghouse; provide technical assistance to SEAs; carry out a national recognition program (monetary awards).

Subpart 2: 1) amount less than \$75 million: competitive grants to SEAs to support local dropout prevention activities; 2) amount more than \$75 million but less than \$250 million; competitive grants to SEAs to enable SEAs to award competitive subgrants to LEAs; and 3) if amount equals or exceeds \$250 million: noncompetitive awards to SEAs to enable SEAs to award competitive subgrants to LEAs. Subgrants are for schools with low income students, and that serve grades 6 through 12 with a higher than average dropout rate. Eligible activities include professional development, materials, remedial education, reduction of pupil/teacher ratios, counseling, school reform, and efforts to meet academic standards. Subgrant award period is at least 3 years.

ESEA Reauthorization Information Sheet, January 2002

1. Title II: Preparing, Training, and Recruiting High Quality Teachers and Principals

Part A: Teacher and Principal Training and Recruiting Fund, Page 319

2. New Program

Parts of this appear to be a continuation of Title II Eisenhower, however, local flexibility about how to spend funds has changed from M/S focus to include professional development in all content areas, behavior, special needs, and also includes recruitment, retention and class size reduction.

3. Montana FFY01 funding: Title II: \$2,173,869 CSR: \$7,605,780 TOTAL: \$9,779,649
FFY02 funding: \$13,637,700

4. Administered by:

OPI (Subparts 1,2) and OCHI (Subpart 3)

5. SEA requirements: (check if appropriate)

- Submit plan to USDE (Incorporate into state plan per Sections 1111 and 1119)
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (surveys, assessments, performance measures)
- Other: Adequate yearly progress on measures in Part 1111 and 1119

6. If a continuing program, requirements or changes that are new.

Schools must identify needs through a needs assessment process that must include data from plan in 1111 and 1119. Monies must be directed toward schools showing greatest need as defined by the law (similar to old).

7. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

- a. Professional development for principals, assistant principals, and assistants is included.
- b. There are no mathematics and science specific professional development requirements as there are now.
- c. Mathematics and science are targeted only in Part B, and only competitively.
- d. The purpose of Title II is to provide grants to SEAs, LEAs, SAHEs, and eligible partnerships to:
 - i. Increase student achievement through improving teacher and principal quality
 - ii. Hold LEAs and schools accountable for improvements in student academic achievement and teacher quality.
- e. The number of Title II applications likely will triple due to increased allocation and no consortium requirement. Currently, 435 districts participate in 125 Title II projects. Twenty-one of these are consortia of multiple districts.
- f. 95 percent of the funds flow directly to LEAs who demonstrate that
 - i. A needs assessment was conducted
 - ii. Professional development activities are aligned with standards
 - iii. Professional development activities are based upon scientifically based research
 - iv. Professional development activities have an evaluation component
 - v. Professional development plan is aligned to total plan required by 1111 and 1119.
- g. LEAs provides assurances that they will
 - i. Target funds to high need schools (lowest number of highly qualified teachers and low achievement)
 - ii. Coordinate Title II activities with other professional development programs in the district using federal, state, and local (other grants) funds

- iii. Consult parents, teachers, etc., in planning professional development activities
- iv. Address all learning styles
- v. Improve student classroom behavior
- vi. Use data to improve classroom practice and student learning
- vii. Involve non-public schools
- h. LEAs may use funds to/for
 - i. Recruit/retain highly qualified teachers, principals, subject matter specialists
 - ii. Provide scholarships, signing bonuses, or other financial incentives for teachers in areas of content shortage
 - iii. Schools in which there are a shortage of qualified teachers
 - iv. Reducing class size, particularly in early grades
 - v. Train and hire regular and special education teachers or recruit from other fields
 - vi. Increase opportunity for minorities, disabled, and others underrepresented in teaching
- i. Professional development activities must provide content, instructional skills, and be tied to standards. There is a strong emphasis on using data to determine needs
- j. Highly qualified teachers can be hired or given incentives such as tenure reform, merit pay and teacher advancement with pay differentiation.
- k. Title II, Part A, Subpart 3, page 340-42, outlines the requirements of the competitive higher education Title II subgrants.
 - i. The SAHE must work with the SEA if they are separate entities.
 - ii. Grants are awarded to eligible partnerships for
 - (1) High quality professional development in core academic subjects that meet state standards
 - (2) Help principals work effectively with teachers in core academic areas
 - (3) Help teachers return to school
 - (4) Improve teaching at low-performing schools
- l. Subpart 4 outlines accountability of LEA and SEA -- must improve in three years
- m. Subpart 5 outlines National Activities

ESEA Reauthorization Information Sheet, January 2002

1. Title II: Preparing, Training, and Recruiting High Quality Teachers and Principals Part B: Mathematics and Science Partnerships, Page 356

2. New Program

3. National FFY01 (current) funding: NONE FFY02 (next year) funding: \$12.5 million
Montana FFY01 funding: NONE FFY02 funding: NONE

4. Administered by the U.S. Department of Education

5. SEA requirements: NONE

6. If a continuing program, requirements or changes that are new.
This is a new program.

7. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

a. This is a new program into which funds from the existing Eisenhower Professional Development Program are incorporated.

b. The current Title II Eisenhower Professional Development Program sets aside \$250 million nationally for flow-through funds for professional development in mathematics and science.

c. This new program provides \$12.5 million nationally for competitive partnerships to provide professional development for mathematics and science.

d. The purpose is to improve the academic achievement of students in mathematics and science by encouraging SEAs, SAHEs, LEAs, and elementary and secondary schools to participate in programs that

i. Improve and upgrade the status and stature of mathematics and science teaching

ii. Focus on education of mathematics and science teachers as a career-long process

iii. Bring K-12 mathematics and science teachers together with scientists, engineers, and mathematicians

iv. Develop more rigorous mathematics and science curricula aligned to state standards

v. Train mathematics and science teachers to effectively integrate technology into the curriculum and instruction

e. Grants to SEAs are given on basis of poverty and availability of funds (Page 358-9)

f. Application requirements are enumerated on pages 359-364

g. Once the RFP is developed, it is possible that OPI could apply for one of these grants if staff has time to apply for and manage it.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Michael Hall Title: II Part: D

2. New Program

3. National FFY01 (current) funding: _____ FFY02 (next year) funding: _____

Montana FFY01 funding: _____ FFY02 funding: _____

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)
- Other/s (list)

6. Brief description of program.

Enhancing Education Through Technology – Title II Part D seeks to improve the effective integration of technology into teaching and learning. Innovative programs, professional development, improved student academic achievement, increased teacher skills, and state content and performance standards are highlighted. Evaluation is a strong theme throughout this act.

7. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

The OPI must submit a technology plan for the state that meets specific requirements. For example, the OPI must describe how it will ensure ongoing integration of technology into school curricula so that technology will be “fully integrated” into the curricula and instruction of the schools by December 31, 2006, and how we will provide incentives to teachers who are technologically literate and teaching in rural or urban areas to remain in those areas.

All applicants, competitive or flow through (Title I schools), must submit an application and a new or revised technology plan that is consistent with the state technology plan and other criteria that may be added.

The OPI must establish criteria to determine the minimum allocation that would provide a school, under the flow through portion, sufficient funds to adequately meet the requirements of the act.

The OPI is required to develop “performance measurement systems to determine the effectiveness of education technology programs funded under this subpart, particularly in determining the extent to

which activities funded under this subpart are effective in integrating technology into curricula and instruction, increasing the ability of teachers to teach, and enabling students to meet challenging State academic content and student achievement standards.”

LEAs are required to spend a minimum of 25 percent of their funds on professional development.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Language Instruction for LEP and Immigrant Students
Title: III Part: A English Language Acquisition, Language Enhancement and Academic Achievement;
Part B Improving Language Instruction Educational Programs;
Part C General Provisions

2. Continuing Program

3. National FFY01 (current) funding: \$417 million FFY02 (next year) funding: \$750 million
Montana FFY01 funding: SEA -- \$200,000 FFY02 funding: ?? \$500,000(ED's website)
LEAs – app. \$2,000,000

4. Administered by:

U.S. Department of Education – Part B or Office of Public Instruction: Part A

5. SEA requirements:

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Accountability
 - 1) demonstrated improvements in English proficiency
 - 2) AYP for LEP students
 - 3) LEAs and SEA submit written evaluation to ED every two years

6. Brief description of program.

To help ensure that LEP students become proficient in English and attain state standards

7. If a continuing program, requirements or changes that are new.

Changes from competitive program at LEA level to formula. Average LEA grant currently is \$300,000, will probably be much less. Will require whole new process on our part to award and administer LEA grants.

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

Assurances require consultation with LEAs, that LEAs assess LEP students annually, that LEAs assure consultation and parental notification. Administration costs are limited to 2% at LEA level, which means that districts that currently have full-time bilingual directors and administrative assistants will no longer be able to do so.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: **Safe and Drug-Free Schools** Title: **Title IV** Part: **A**
(SDFS is Part A of "Title IV–21st Century Schools")

2. Continuing Program

3. National FFY01 (current) funding: **\$439,250,000** FFY02 (next year) funding: **\$461,575,000**

Montana FFY01 funding:	\$2,142,933	FFY02 funding:	\$2,308,163
SEA/LEA funding:	\$1,714,346	SEA/LEA:	\$1,846,530
Gov portion:	\$ 428,654	Gov portion:	\$ 461,633

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

To support programs that: (1) prevent violence in and around schools, (2) prevent illegal use of alcohol, tobacco, and other drugs, (3) involve parents/communities, and (4) are coordinated with federal, state, school and community efforts and resources; and are designed to foster a safe and drug-free learning environment that supports student academic achievement.

7. If a continuing program, requirements or changes that are new.

- No competitive grants
- Allocation formula for LEA funding has changed (specifically, 60 percent of the SDFS allocation is based on the Title I Part A amount the LEA received in the previous year and 40 percent of the allocation is based on the LEA enrollment, including enrollment in non-public schools within the boundaries of the LEA).
- Required implementation by the SEA of a "uniform management information and reporting system."
- 2 percent admin cap for LEAs
- A change in the limits on use of some of the funds for school security-type items
- Background checks of LEA employees allowed
- Student drug testing and locker searches allowed

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

- Review of local applications requires input from parents

- LEA assurances required:
 - private school participation - non-supplanting
 - use of Principles of Effectiveness - clear no-use message
 - foster a safe and drug-free environment - public review of application
 - compliance with state law on Gun-Free Schools
 - safe school plan to include: school discipline policies, security procedures, **prevention activities for a safe environment, crisis management plan, and code of conduct**
- SEA assurances required:
 - private school participation
 - application developed cooperatively with the Board of Crime Control
 - application available for public review
 - data collection for national evaluation
 - non-supplanting
- Subpart 3 of Part A-SDFS is the "Gun-Free Schools Act"
- Must ensure that all programs that have a cap on local administrative costs (such as SDFS 2 percent cap) use a consistent definition of what is an "administrative cost."
- Must be aware of the flexibility provisions (in Title VI-Flexibility and Accountability) that allow for a transfer of 50 percent of funds from certain titles to other titles.

Editorial Comment:

- Greater flexibility in using the funds to develop and maintain secure environments may reduce time and funds dedicated to prevention programming.

**ESEA Reauthorization Information Sheet
January 2002**

1. Program/Provision Name: **Community Service Grants** Title: **Title IV** Part: **A (Subpart 2)**
(Part A of "Title IV-21st Century Schools" is SDFS; Subpart 2 is national programs)

2. New Program

3. National FFY01 (current) funding: \$ **0** FFY02 (next year) funding: \$ **?**

Montana FFY01 funding: \$ **0** FFY02 funding: \$ **250,000**

4. Administered by the Office of Public Instruction

5. Brief description of program.

Provides formula grants to SEAs to carry out programs under which students expelled or suspended from school are required to perform community service.

6 If a continuing program, requirements or changes that are new.

Not applicable

7. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

The law provides no specificity about this program. Without proscriptive federal guidance, states will be providing direction for this program.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: **21st Century Community Learning Centers**
Title: **IV** Part: **B**

2. New Program

3. National FFY01 (current) funding:	FFY02 (next year) funding:
Montana FFY01 funding: \$ 0	Montana FFY02 funding: \$1,522,706

4. Administered by the Office of Public Instruction

5. SEA requirements

- Submit plan to USDE
- Develop LEA/local application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

Provide opportunities for academic enrichment during non-school hours (before-school, after-school and summer) in a community learning center environment. Services reinforce and complement regular academic programs, and offer literacy and educational development to families. Programs must be located in safe and accessible facilities that account for transportation needs of students. Award priority must be given to eligible entities that propose to serve: a) students who primarily attend schools eligible for schoolwide programs under section 1114; or (b) schools that serve a high percentage of students from low-income families; and the families of students described in (a) or (b). Priority shall also be given to applications submitted jointly by LEAs receiving funds under Title I, Part A, and community-based organizations or other public or private entities. Awards must be \$50,000 or more, awarded for three to five years.

7. If a continuing program, requirements or changes that are new.

- Converted from a federal competitive grant program to a state administered competitive grant program.
- Required to use "Principles of Effectiveness" and provide academic enrichment opportunities.
- Targets students, particularly students attending low-performing schools and partnerships with community-based organizations, including faith-based organizations.
- Allows community-based organizations to apply for projects in active collaboration with the schools the children attend.

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

- LEA/Local application design and announcement process must be developed that gives public notice beyond customary school-only pool. Process must include consultation with other pass-through state agencies (e.g., Crime Control, DPHHS).
- Monitoring of projects, technical assistance, and comprehensive evaluation of program effectiveness required.
- Awards must be made for no less than three and up to five years. (It is unclear whether annual continuation application is required or allowed.)
- Assurances:
 - State –
 - Awards made only to local projects that meet specific criteria: three-five years; greatest need; non-supplanting; transportation needs addressed; local coordination.
 - Local -
 - Project will be accessible and safe; collaboration between LEA/CBO; targeted to greatest need students; non-supplanting; public notice of intent to apply.
- SEA may impose a permissive cash/in-kind match developed on a sliding scale up to 100 percent of the award. SEA shall not consider an applicant’s ability to match funds when determining awards.
- The U.S. Department of Education will continue to directly fund the 17 existing 21st CCLC programs in Montana until their three-year cycle of funding is completed. As the amount of funds used by the Department to directly fund programs decreases, the amount of funds available to the states will increase year by year.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: **Environmental Tobacco Smoke** Title: **Title IV** Part: **C**
(This is Part C of "Title IV-21st Century Schools")
(Part C is also known as "Pro-Children Act of 2001")

2. Continuing Provision

3. National FFY01 (current) funding: \$ 0 FFY02 (next year) funding: \$ 0

Montana FFY01 funding: \$ 0 FFY02 funding: \$ 0

4. Administered by the U.S. Department of Education

5. SEA requirements: (check if appropriate)

- Obtain LEA assurances **of compliance with this federal law**

6. Brief description of program.

Title IV-21st Century Schools Part C is also known as "The Pro-Children's Act of 2001." It requires that no person shall permit smoking within any indoor facility used for education services, library services or health services when such services are funded directly or indirectly with federal funds. Specifically, the services named in the law are kindergarten, elementary or secondary education, library services to children, health care, day care, and early childhood development (Head Start) services.

Civil penalties up to \$1000 for each violation (each day is considered a new violation) but not to exceed 50 percent of the federal funds received under ESEA.

7. If a continuing program, requirements or changes that are new.

- **None**

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

- **LEA assurance of compliance**

ESEA Reauthorization Information Sheet, January 2002

1. Program Name: **Title V: Promoting Informed Parental Choice and Innovative Programs Title V Part A: Innovative Programs**, Page 632

2. Continuing Program: Continuation of existing Title VI: Innovative Program Strategies under a new Title with expanded LEA options and same funding.

3. National FFY01 (current) funding: _____ FFY02 (next year) funding: _____
Montana FFY01 funding: \$1,911,525 FFY02 funding: \$1,911,525

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Submit plan to USDE
- Develop LEA application for funds
- Obtain LEA assurances
- Monitoring
- Accountability (not fiscal) (surveys, assessments, performance measures)

6. Brief description of program. The purposes are

- a. To support local education reform efforts that are consistent with and support statewide reform efforts.
- b. To implement promising educational reform programs and school improvement programs based on scientifically based research.
- c. To continue to support library and instructional media programs.
- d. To meet the needs of all students, including at-risk students.
- e. To improve school, student, and teacher performance including professional development activities and class-size reduction programs.

This is to be accomplished with a minimum of paperwork.

7. If a continuing program, requirements or changes that are new.

Although similar to existing Title VI, this new program expands LEA choices from 8 to 27 with the same allocation. The new choices are listed on pages 630-633 and are briefly summarized here.

Programs to/for:

- a. Recruit, train, hire teachers, including reducing class size. Professional Development activities in accordance with Title II
- b. Technology to improve learning (*Same as present.*)
- c. Library, instructional media acquisition (*Same as present.*)
- d. Promising education reform, including magnet schools (*Same as present.*)
- e. Programs for disadvantaged and to prevent dropouts
- f. Adult literacy
- g. Meet needs of the gifted and talented (*Same as present.*)

- h. Plan/implement charter schools
- i. School improvement programs under sections 1116 (schools identified as in need of improvement) and 1117 (school support and recognition). *(This is similar to the present choice of using Title VI funds to support a Title I Schoolwide program.)*
- j. Community service programs
- k. Consumer, economic, and financial education
- l. Promote, implement, expand school choice
- m. Hire/support school nurses
- n. Expand/improve school-based mental health services and to combat drug use
- o. Alternative education programs for those expelled or suspended or returning from treatment. *(Very similar to present LIEP 4.)*
- p. Pre-kindergarten programs
- q. Academic intervention programs operated jointly with community-based organizations
- r. CPR training in schools
- s. Promote smaller learning communities
- t. Advance student achievement
- u. Parental involvement
- v. Use of best-practice models
- w. Provide same-gender schools and classrooms
- x. Service learning activities
- y. School safety programs to implement section 9507 *(Couldn't find 9507!)*
- z. Researched-based diagnostic prescriptive programs
- aa. Supplemental educational services defined in 1116 (e), p. 104. *(School improvement; same as present.)*

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

- a. State applications must follow guidelines on pages 528-29, which do not seem to include any unusual provisions. SEA application is good for three years per page 629.
- b. Local applications (pp 633-35) require needs assessments, programs to meet those needs, serve non-publics, systematic consultations with parents, teachers, administrators, annual program evaluation. LEA application is good for three years per page 635.
- c. There is an emphasis on maintenance of effort and including private schools.

ESEA Reauthorization Information Sheet January 2002

1. Program Name: **Title V Promoting Informed Parental Choice and Innovative Programs**
Part B: Public Charter Schools, Page 642

Purpose is to increase national understanding of the charter school model by

1. Funding planning, design, implementation
2. Evaluating the effects of such schools
3. Expanding the number of high-quality charter schools
4. Encouraging states to support charter schools for facilities financing in an amount more nearly commensurate to the amount the states have typically provided for traditional public schools.

The Montana legislature did not authorize charter schools.

Part C: Magnet Schools Assistance, Page 672

Purpose of this part is to assist in the desegregation of schools served by LEAS. This does not appear to apply in Montana.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: National Studies Title: V Part:D, Subpart 1

2. New Program

3. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

4. Administered by the U.S. Department of Education

5. Brief description of program.

Title V provides funding to SEAs, LEAs, institutions of higher education, other agencies and organizations on a competitive basis to promote academic improvement. National studies includes three studies: "Unhealthy Public School Buildings," "Exposure to Violent Entertainment," and "Sexual Abuse in Schools."

6. If a continuing program, requirements or changes that are new.

NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Elementary and Secondary School Counseling Programs Title: V
Part D, Subpart 2

2. Continuing Program

3. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

4. Administered by the U.S. Department of Education

5. Brief description of program.

The USDE will provide competitive grants to LEAs to establish or expand elementary and secondary school counseling programs. These are partially based on need, ability to replicate and geographical representation. There is a \$400,000/year maximum with a 4 percent administration cap.

6. If a continuing program, requirements or changes that are new.

None

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Partnerships in Character Education Title: V Part: D, Subpart 3

2. Continuing Program

3. National FFY01 (current) funding: _____ FFY02 (next year) funding: _____

Montana FFY01 funding: \$250,000 FY02 funding: \$250,000

4. Administered by the U.S. Department of Education

5. SEA requirements:

- Submit plan to USDE
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

The USDE provides grants to SEAs in partnership with LEAs, higher education units or other nonprofit organizations to develop programs that promote "elements of character" as defined by the Department. There is a \$500,000 minimum to recipient SEAs with a 3 percent administration cap.

7. If a continuing program, requirements or changes that are new.

None

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

The Secretary may require matching SEA funds which may be "in-kind."

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Smaller Learning Communities Title: V Part: D, Subpart 4

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

4. Administered by the U.S. Department of Education

5. Brief description of program.

The USDE will provide grants to LEAs to plan, study, research and implement strategies, professional development and strategies to include parents and the community to create smaller learning communities.

8. If a continuing program, requirements or changes that are new.

None

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Reading is Fundamental Title: V Part: D, Subpart 5

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

4. Administered by the U.S. Department of Education

5. Brief description of program.

The USDE will contract with Reading is Fundamental (RIF) to support or promote the distribution of free or inexpensive books.

6. If a continuing program, requirements or changes that are new.
None

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Gifted and Talented Students Title: V, Part: D, Subpart 6
2. Continuing Program
3. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____
Montana FFY 2001 funding: _____ FFY 2002 funding: _____.
4. Administered by the U.S. Department of Education
5. SEA requirements:
 - Submit plan to USDE
 - Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

The USDE will provide competitive grants to SEAs, LEAs, units of higher education, other agencies or organizations (including Indian tribes) to assist in carrying out programs to meet the educational needs of gifted and talented children.

7. If a continuing program, requirements or changes that are new.
NA

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

There is a provision for the participation of private school children and teachers.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Star Schools Program Title: V, Part: D, Subpart 7
2. Continuing Program
3. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____
Montana FFY 2001 funding: _____ FFY 2002 funding: _____.
4. Administered by the U.S. Department of Education
5. SEA requirements:

- Submit plan to USDE

6. Brief description of program.

The USDE will provide competitive grants to “telecommunication partnerships” to encourage improved instruction in mathematics, science and foreign languages and to serve underserved populations through telecommunication partnerships. This includes the development, construction, acquisition, maintenance and operation of telecommunication facilities and equipment. Grants are for a maximum of five years with a limit of \$10 million in any one year.

8. If a continuing program, requirements or changes that are new.

NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Special Statewide Network Title: V, Part: D, Subpart 7(a)

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. Brief description of program.

The USDE will provide competitive grants to LEAs or consortium of LEAs for the development of telecommunication networks within a state or statewide.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Ready to Teach Title: V, Part: D, Subpart 8

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. Brief description of program.

The USDE will provide for a competitive grant to a nonprofit telecommunication entity for national-based programming.

5. If a continuing program, requirements or changes that are new.

NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Informed Parental Choice and Innovative Programs
Title: V Part D, Subpart: 9 Foreign Language Assistance Program

2. Continuing Program

3. National FFY01 (current) funding: _____ FFY02 (next year) funding: _____

Montana FFY01 funding: _____ FFY02 funding: _____

4. Administered by the U.S. Department of Education

5. SEA requirements:

- Submit plan to USDE
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

To promote systemic approaches to improving foreign language learning in the state. The USDE will provide competitive grants to SEAs and LEAs for model programming to expand or improve foreign language study for elementary and secondary schools. The grant period is for three years.

7. If a continuing program, requirements or changes that are new.

N/A

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Elementary School Foreign Language Incentive Program
Title: V, Part: D Subpart 9(a)

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. Brief description of program.

The USDE will competitively award grants to LEAs based on the number of students participating in foreign language programs of at least a 45 minute duration, four days a week throughout the school year.

5. If a continuing program, requirements or changes that are new.
NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Physical Education Title: V, Part: D, Subpart 10

2. Continuing Program

3. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

4. Administered by the U.S. Department of Education

5. Brief description of program.

The USDE will competitively award grants to LEAs to initiate, expand or improve physical education grades K-12 for PE programs in the school or after school. The award will pay for staff and equipment necessary to develop a quality program.

6. If a continuing program, requirements or changes that are new.
NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Community Technology Centers Title: V, Part: D, Subpart 11

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. SEA requirements:

- Submit plan to USDE
- Accountability (not fiscal) (survey's, assessments, performance measures)

5. Brief description of program.

The USDE will competitively award grants to SEAs, LEAs, units of higher education, other non-profit organizations or for-profit businesses to create or expand community technology centers. Maximum grant duration is three years.

6. If a continuing program, requirements or changes that are new.
NA

7. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

The Secretary will require a 50 percent match, which can be cash or in-kind.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Educational, Cultural, Apprenticeship and Exchange Programs for Native Hawaiians Title: V, Part: D, Subpart 12

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. Brief description of program.

NOT APPLICABLE TO MONTANA.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Excellence in Economic Education Title: V, Part: D, Subpart 13

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. Brief description of program.

The USDE will provide a competitive grant to a national, nonprofit educational organization that has as a priority the improvement of the quality of student understanding of personal finance and economics through effective teaching of economics in the Nation's classrooms.

5. If a continuing program, requirements or changes that are new.
NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Grants to Improve the Mental Health of Children
Title: V, Part: D, Subpart 14

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____
Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by: the U.S. Department of Education

4. SEA requirements:

- Submit plan to USDE
- Accountability (not fiscal) (survey's, assessments, performance measures)

5. Brief description of program.

The USDE will award competitive grants, contracts or cooperative agreements with SEAs, LEAs or Indian tribes for the purpose of increasing student access to quality mental health care by developing innovative programs to link school systems with the local mental health system.

6. If a continuing program, requirements or changes that are new.
NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Foundations for Learning Grants Title: V Part: D Subpart 14(a)

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____
Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. Brief description of program.

The USDE will competitively award grants to LEAs, local councils, nonprofit organizations or other community-based organizations to assist eligible children become ready for school by delivering services to children and their families around social, emotional and behavioral issues and to coordinate those services within the community.

5. If a continuing program, requirements or changes that are new.
NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Arts in Education Title: V, Part: D, Subpart 15
2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____
Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. SEA requirements:

- Submit plan to USDE
- Accountability (not fiscal) (survey's, assessments, performance measures)

5. Brief description of program.

The USDE will competitively award grants to SEAs, LEAs, units of higher education or cultural institutions to strengthen arts education as an integral part of the elementary school and secondary school curriculum, to ensure that all students meet challenging state academic standards, and to support the national effort to enable all students to demonstrate competence in the arts.

6. If a continuing program, requirements or changes that are new.
NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Parental Assistance and Local Family Information Centers
Title: V, Part: D, Subpart 16
2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____
Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. Brief description of program.

The USDE will competitively award grants to LEAs or nonprofit organizations or consortia of such organizations to establish school-linked or school-based parental information and resource centers that provide comprehensive training, information and support to parents, individuals who work with parents, SEAs, LEAs, agencies, schools and organizations that support family-school partnerships and parents of children from birth through age five. Grants will be distributed geographically.

5. If a continuing program, requirements or changes that are new.
NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Combating Domestic Violence Title: V, Part: D, Subpart 17

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. Brief description of program.

The USDE will competitively award grants to LEAs to provide training to school administrators, faculty and staff with respect to issues concerning children who experience or witness domestic violence, provide educational programming for students regarding domestic violence and to provide support services for students and school personnel to develop and strengthen effective prevention and intervention strategies.

5. If a continuing program, requirements or changes that are new.
NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Healthy, High-Performing Schools Title: V, Part: D, Subpart 18

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. SEA requirements:

- Submit plan to USDE
- Accountability (not fiscal) (survey's, assessments, performance measures)

5. Brief description of program.

The USDE will competitively grant awards to SEAs, which will award subgrants to LEAs that are the neediest and that have made a commitment to develop healthy, high-performing school buildings. Local

uses of funds include energy reduction efforts, meeting safety codes, and the support of healthful, environmentally sound practices.

6. If a continuing program, requirements or changes that are new.
NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Grants for Capital Expenses of Providing Equitable Services for Private School Students Title: V, Part: D, Subpart 19

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. SEA requirements:

- Submit plan to USDE
- Accountability (not fiscal) (survey's, assessments, performance measures)

5. Brief description of program.

The USDE will competitively award grants to SEAs, which will award grants to eligible LEAs to pay for capital expenses incurred in providing equitable services for private school students based on the degree of need. Capital expenditures include expenditures for noninstructional goods and services such as the purchase or rent of mobile educational units and the leasing of space, insurance and maintenance, transportation and other goods and services.

6. If a continuing program, requirements or changes that are new.
NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Additional Assistance for Certain Local Educational Agencies Impacted by Federal Property Acquisition Title: V, Part: D, Subpart 20

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. Brief description of program.

The USDE will competitively award grants to LEAs that: received a payment under this section in 1996, provided a free public education to children as defined, had a military installation within the geographic boundaries of the LEA that was closed and remains responsible for the free public education of children residing in housing located on federal property within the boundaries of the closed military but whose parents are on active duty and where the local revenue derived from local sources is not less than that revenue from the preceding year.

5. If a continuing program, requirements or changes that are new.

NA

**ESEA Reauthorization Information Sheet
January 2002**

1. Program/Provision Name: Women's Educational Equity Act Title: V, Part: D, Subpart 21

2. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

3. Administered by the U.S. Department of Education

4. Brief description of program.

The USDE will contract with or enter into cooperative agreements with public agencies, institutions, student groups and community groups for a period not to exceed four years to develop and implement equity programs.

5. If a continuing program, requirements or changes that are new.

NA

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Flexibility And Accountability Title: VI, Part: A

2. Continuing Program

3. National FFY01 (current) funding: \$0 FFY02 (next year) funding: \$72,000,000 – NAEP \$490,000,000 – State Assessments

Montana FFY01 funding: \$0 FFY02 funding: \$3,000,000+

4. Administered by the Office of Public Instruction

5. SEA requirements: (check if appropriate)

- Submit plan to USDE
- Accountability (not fiscal) (survey's, assessments, performance measures)

6. Brief description of program.

States must develop challenging academic and achievement standards and aligned assessments in academic subjects. There must be “multiple measures” to ensure reliability and validity. States must also improve the dissemination of information on student achievement and school performance to the public.

States and LEAs also will have the flexibility to target federal funds to programs that most effectively address the unique needs of states and localities.

There are also provisions for a competitive process to award grant flexibility authority to not more than seven eligible states. Also, the Secretary of Education can enter into flexibility demonstration agreements with not more than 80 LEAs, selected on a competitive basis. No more than three of these LEAs may be in the same state.

There is considerable detail in the law that addresses the provisions of these flexibility demonstration sites in regard to eligibility, applying, activities that may be carried out, assessment and monitoring, reporting, etc.

7. If a continuing program, requirements or changes that are new.

This is a continuing program in the sense that the challenging academic standards and aligned multiple measures have been required since the passage of the 1994 law. New additions are the flexibility provisions and demonstration sites for both states and LEAs.

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

State participation in NAEP is now mandatory, however LEAs and schools still may participate on a voluntary basis.

Much of the initial requirements under this title are what Montana needs to address in its compliance agreement with the U.S. Department of Education.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Rural Education Initiative
(or short title of Rural Education Achievement Program)
Title: Title VI, Part: B, Subpart: 1 – Small Rural School Achievement Program

2. Continuing Program

3. National FFY01 (current) funding: \$ 0 FFY02 (next year) funding: \$
Montana FFY01 funding: \$ 0 FFY02 funding: \$

4. Administered by the Office of Public Instruction but the funds flow directly from the USDE to the LEA

5. SEA requirements:

- Develop LEA application for funds LEA must notify SEA of intent to participate
- Monitoring – see comment on Accountability under item 8

6. Brief description of program.

Title VI – Part B is called Rural Education Initiative but it may be cited as the Rural Education Achievement Program. REI/REAP has two subparts: Subpart 1 is the "Small Rural School Achievement Program" which is last year's REAP program. Subpart 2 is the "Rural and Low Income School Program" and is new.

REI's Subpart 1 retains many of the provisions of last year's REAP. It provides additional formula funds as well as flexibility in the use of certain federal funds. REI's Subpart 2 creates a new program to provide additional funds to rural districts that are ineligible to participate in Subpart 1 and that serve concentrations of poor students.

Appropriations for the two subparts are to be divided equally between the two.

7. If a continuing program, requirements or changes that are new.

Title VI – Part B – Subpart 1 Small Rural School Achievement Program ("REAP")

- Increased Flexibility - allows consolidation of all allocations the LEA receives under four titles: Teacher Quality, Innovative Programs, SDFS, and Educational Technology. Consolidated funds can be used for activities under five titles: Title I, Teacher Quality (Title II-A), Educational Technology (Title II-D), Language Instruction (Title III), Innovative Programs (Title V-A), and SDFS (Title IV-A and B).

- Expanded Eligibility - Eligible LEAs are those that:
 - have an ADA of less than 600 or that serve only schools located in counties with a population density of fewer than 10 persons per square mile; and
 - serve only schools with an NCES locale code of 7 or 8 or the Secretary determines and the SEA concurs that the LEA's schools are located in an area defined as rural by a governmental agency of the state.

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

Funding - There are no "set asides" (i.e., no funding) for this program

Accountability

LEA: requires a participating LEA to administer an assessment that is consistent with Title I requirements.

State: requires the SEA to (1) determine, after the third year that the LEA participates, whether the LEA met the SEA's definition of adequate yearly progress [AYP]; (2) permit LEAs that meet the AYP definition to continue to participate; and (3) permit an LEA that did not meet the AYP definition to continue to participate only if the LEA agrees to use its consolidated funds for Title I school improvement activities.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Rural Education Initiative
(or short title of Rural Education Achievement Program)
Title: Title VI, Part: B, Subpart: 2 – Rural and Low Income School Program

2. New Program

3. National FFY01 (current) funding: \$ 0 FFY02 (next year) funding: \$???

Montana FFY01 funding: \$ 0 FFY02 funding: \$ 482,164

4. Administered by the Office of Public Instruction

5. SEA requirements:

- Submit plan to USDE – SEA must do an application to USDE (Sec.6223)
- Monitoring – see comments on SEA accountability under item 9

6. Brief description of program.

Title VI – Part B is called Rural Education Initiative but it may be cited as the Rural Education Achievement Program. REI/REAP has two subparts: Subpart 1 is the "Small Rural School Achievement Program" which is last year's REAP program. Subpart 2 is the "Rural and Low Income School Program" and is new.

REI's Subpart 1 retains many of the provisions of last year's REAP. REI's Subpart 2 creates a new program to provide additional funds to rural districts that are ineligible to participate in Subpart 1 and that serve concentrations of poor students.

Eligible LEAs – those that: (1) serve only schools with an NCES locale code of 6, 7 or 8 and (2) have a child poverty rate of at least 20 percent. Eligible LEAs may apply directly to the USDE if the SEA chooses to not participate in the program.

Applications – requires the SEA to develop an application to the USDE in which the SEA establishes specific educational goals and objectives related to: (1) increased student achievement, (2) decreased student dropout rates, or (3) other factors the SEA may choose to measure.

Use of funds – authorizes LEAs to use program funds for: (1) teacher recruitment and retention, (2) professional development, (3) educational technology, (4) parental involvement activities, (5) SDFS activities, (6) Title I Part A activities, and (7) Title III activities.

7. If a continuing program, requirements or changes that are new.

Not Applicable (Title VI – Part B – Subpart 2 Rural and Low Income School Program is a new program.)

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

Accountability

LEAs

- (1) required to administer an assessment that is consistent with Title I requirements**
- (2) funds are to supplement, not supplant

SEA

- (1) determine, after the third year that an LEA participates, whether the LEA met the definition of adequate yearly progress (AYP);
- (2) permit LEAs that met the AYP definition to continue to participate;
- (3) permit an LEA that did not meet the AYP definition to continue to participate only if the LEA agrees to use its consolidated funds for school improvement activities; and
- (4) must provide an annual report to the Secretary on:
 - [a] the method used by the SEA to allocate funds to eligible LEAs;
 - [b] how LEAs and schools used the funds; and
 - [c] progress toward the goals and objectives in the SEA's application.

ESEA Reauthorization Information Sheet January 2002

1. Provision Name: Flexibility and Accountability Title: Title VI, Part: C-General Provisions
2. Continuing Provision - (amends Sec 411 regarding National Assessment of Education Programs)
3. National FFY01 (current) funding: \$ 0 FFY02 (next year) funding: \$ 0
Montana FFY01 funding: \$ 0 FFY02 funding: \$ 0
4. Administered by the U.S. Department of Education
5. SEA requirements:
 - Other/s (list) SEA must comply with requirements for timely, fair and accurate measurement of student academic achievement
6. Brief description of provision.

Amends the legislation authorizing the National Assessment of Educational Progress (NAEP), which provides high-quality data on the achievement of elementary and secondary school students in reading, mathematics, science, and other subjects. Also makes minor changes to the authority for the National Assessment Governing Board (NAGB).

7. If a continuing program, requirements or changes that are new.

State Assessments – Requires the National Center for Education Statistics (NCES) to conduct biennial state assessments in reading and mathematics in grades 4 and 8. Removes the prohibition on using federal funds to pay for the administration of state assessments.

Reporting Subgroups – Adds disability and limited English proficiency to the required separate reporting by race, ethnicity, socioeconomic status, and gender.

Assessment Frequency – Mandates biennial national and state assessments in reading and mathematics at grades 4 and 8 and a national assessment in reading and mathematics at grade 12. (Prior law required national assessments at least every two years on students at ages 9,13 and 17 and in grades 4, 8 and 12 and it permitted state assessments at grades 4, 8 and 12.)

Prohibitions – Prohibits agents of the Federal Government from using NAEP to influence standards, assessments, curriculum, or instructional practices at the state and local level; from using NAEP to evaluate individual students or teachers; or provide rewards or sanctions for individual students, teachers, schools, or school districts. In addition, the statute specifies that nothing in the law shall be construed to prescribe the use of NAEP for student promotion or graduation purposes, and that NAEP should not affect home schools. Maintenance of a system of records containing personally identifiable information on students is prohibited. Assessments must not evaluate or assess personal or family beliefs or attitudes.

Access to Assessment Materials – NCES to ensure test integrity by not releasing cognitive test items that will be used in future assessments, continues to provide for public scrutiny of assessment materials in secure settings, and includes provisions designed to ensure that the public is notified about access to

assessment materials, requires that such access be provided within 45 days in a convenient setting, and establishes procedures for receiving, reviewing, and reporting complaints. Provides criminal penalties for unauthorized release of assessment instruments.

Voluntary Participation – Mandates that participation is voluntary for students and schools, as well as for local educational agencies. State participation is voluntary other than in the reading and mathematics assessments in grades 4 and 8.

National Assessment Governing Board (NAGB) – Gives NAGB final authority over all assessment items, not just cognitive items. Requires NAGB to ensure that all items used in NAEP are secular, neutral, and non-ideological. Specifies the types of technical experts with whom NAGB is to consult in the design of the assessments. Adds to NAGB duties the development of standards and procedures for interstate comparisons.

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

Accountability

Reviews of NAEP – Continues the requirement for NCEP to provide for on-going review of NAEP assessments by professional organizations to ensure quality. Continues to require state NAEP to be considered “developmental” until such review determines that the assessment produces high-quality data. Adds a requirement for NAGB to provide for a review of any trial student achievement levels under development by representatives of a state educational agency or a chief state school officer.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Indian, Native Hawaiian, and Alaska Native Education
Title: VII, Part: A Indian Education; Part B Native Hawaiian Part C Alaska Native

2. Continuing Program

3. National FFY01 (current) funding: 115.5 Million FF02 (next year) funding: 120.4 Million
Montana FFY01 funding: \$3, 067, 372 FFY02 funding: \$3, 223, 044

4. Administered by the U.S. Department of Education, copy of LEA application to the Office of Public Instruction

5. Brief description of program.

To support efforts of local educational agencies and other entities to meet unique educational and culturally related academic needs of American Indian students

6. If a continuing program, requirements or changes that are new.

Administrative costs are limited to 5 percent, which may change school districts’ ability to have full-time directors.

7. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

Districts must assure that the program will not supplant, must provide for consultation and maintenance of parent advisory council

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: Impact Aid Title: VIII

2. Continuing Program

3. National FFY01 (current) funding: \$993,302,000 FFY02 (next year) funding: \$1,143,500,000

Montana FFY01 funding: \$37,902,863 FFY02 funding: \$38,237,349

4. Administered by the U.S. Department of Education

5. SEA requirements

- Other/s (list) - SEA reviews LEA applications and provides comments to the U.S. Department of Education within 15 days of application deadline. SEA annually provides local contribution rates, total current expenditures, and other fiscal data to the U.S. Department of Education.

6. Brief description of program.

Impact Aid is a federal formula grant program designed to assist school districts that have been affected by the presence of federal activities. These school districts have lost part of their local property tax base because of federal activities that cause real property to be exempt from taxation or are burdened by the presence of significant numbers of federally-connected children.

Impact Aid originated in 1950. Originally P.L.81-874; reauthorized as Title VIII in 1994.

7. If a continuing program, requirements or changes that are new.

Although Impact Aid is primarily a formula grant program, Impact Aid Law Section 8007(b) authorized a new competitive construction grant program for FY02, which is funded at \$27 million. This is in addition to the regular formula construction grant program under Section 8007(a), which is funded at \$18 million in FY02.

8. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

- Impact Aid law requires periodic reauthorization.
- LEAs are required to apply annually. The normal deadline is January 31; however, some years the deadline is extended for various reasons (law changes, severe weather, etc.).
- Late applications are accepted by the U.S. Department of Education if filed within 60 days of the application deadline; however, applications filed within this 60-day period are

penalized 10 percent of the amount to which the applicant is eligible. Applications are not accepted beyond the 60-day late period.

- Applicants claiming federally-connected students are required to do an annual student membership survey. Information may be collected by LEAs either through the use of parent-pupil survey forms or source check forms, or both.
- Applicants are required to have an authorized Impact Aid representative as designated by the board of trustees.
- First-time applicant LEAs are required to file the following assurances and certifications: OMB Standard Form 424B (Assurances for Non-Construction Programs) and ED Form 80-0013 (certifications regarding lobbying, debarment/suspension/responsibility status, and drug-free workplace). Continuing applicants must reaffirm original certifications and assurances.
- Applicants claiming children residing on Indian Lands must submit, with the application, a copy of the LEA's Indian Policies & Procedures (IPP). The IPP is a written plan to ensure that parents who are members of the Indian community and Indian tribes can participate in planning and evaluating the education of their children.
- Impact Aid funds received by an LEA under Section 8003 (basic support) are considered general aid and have no restrictions on their expenditure. Funds received under Section 8003[d] (payments for children with disabilities) are generally restricted to cover the increased costs of educating federally-connected children with disabilities. Funds under Section 8007 (construction) must be used for construction, as defined in Impact Aid law.
- LEAs that receive Impact Aid are subject to periodic mail-in reviews and/or on-site reviews as conducted by the U.S. Department of Education. School district auditors also review Impact Aid.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: General Provisions-Definitions Title: IX, Part: A

2. Continuing Program

3. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

4. Brief description of program.

Part A of Title IX includes over 30 definitions as used in ESEA. This starts on P.955 and includes:

- | | | |
|---------------------------------|--------------------------------|----------------------------|
| *Average Daily Attendance | *Average Per pupil Expenditure | *Beginning Teacher |
| *Child | *Child with a Disability | *Community-Based Org. |
| *Consolidated Local Application | *Consolidated Local Plan | *Consolidated State App. |
| *Consolidated State Plan | *Core Academic Subjects | *County |
| *Covered Program | *Current Expenditures | *Department |
| *Distance Learning | *Educational Service Agency | *Elementary School |
| *Exemplary Teacher | *Family Literacy Services | *Free Public Education |
| *Gifted and Talented | *Highly Qualified | *Institution of Higher Ed. |

- | | | |
|---------------------------------|-----------------------------------|---------------------------|
| *Limited English Proficient | *Local Education Agency | *Mentoring |
| *Native American and N.A. Lang. | *Other Staff | *Outlaying Area |
| *Parent | *Parental Involvement | *Poverty Line |
| *Professional Development | *Public Telecommunications Entity | *Pupil Services Personnel |
| *Scientifically based Research | *Secondary School | *Secretary |
| *State | *State Education Agency | *Teacher Mentoring |
| *Technology | | |

5. Other things of which to be particularly aware (e.g., potential problems, flexibility, assessment, assurances, requirements, etc).

ALL program areas need to be aware of these definitions and how they apply to their program areas. Example: "Covered Programs" means each of the following programs:

- A. Part A of title I,
- B. Subpart 3 of Part B of title I,
- C. Part C of tile I,
- D. Part D of title I,
- E. Part F of title I,
- F. Part A of title II,
- G. Part D of title II,
- H. Part A of title III,
- I. Part A of title IV,
- J. Part B of title IV,
- K. Part A of title V, and
- L. Subpart 2 of Part B of title VI.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: General Provisions-Flexibility Title: IX, Part: B

2. Continuing Program

3. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____
 Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

4. Brief description of program.

Part B of Title IX deals with the flexibility available, with qualifications, to an SEA or to an LEA. This section includes specific requirements of the SEA (or LEA) including the development of procedures, submission of assurances or development of policy. Listed below are areas covered with those having specific SEA requirements underlined.

Sections include:

- An SEA may consolidate its administration funds IF the SEA derives a majority of its funding from non-federal sources.
- The approved use of SEA administration funding is outlined.

- Section 9203 allows the consolidation of LEA administration funds, and requires the SEA, within one year, to establish procedures for LEAs to request to consolidate admin funds. An LEA that consolidates its admin funds does not have to track them separately.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: General Provisions-Consolidated State and Local Plans and Applications
Title: IX, Part: C

2. Continuing Program

3. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____

Montana FFY 2001 funding: _____ FFY 2002 funding: _____.

4. Administered by the U.S. Department of Education

5. Brief description of program.

Part C of Title IX includes information on SEA and LEA Consolidated Plans and Applications. Sections underlined are especially important to the SEA.

The Secretary shall establish procedures and criteria for a consolidated state plan or a consolidated state application, which **MUST** be developed in consultation with the governor. The plan or application must include each of the “covered programs” in which the state participates and other programs the Secretary designates. The Secretary shall require only the information that is “absolutely necessary.” The Secretary shall also develop the annual SEA report.

Each SEA shall have on file with the Secretary a single set of assurances (listed on p. 977-978) applicable to each program.

The LEA may submit a consolidated plan or application to the SEA. An SEA with an APPROVED consolidated plan or application may require LEAs to submit consolidated plans or applications. Procedures to submit consolidated plans or applications must be done in consultation with the governor.

LEAs must file a set of assurances (p. 979-980) with the SEA.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: General Provisions-Waivers Title: IX, Part: D
2. Continuing Program
3. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____
Montana FFY 2001 funding: _____ FFY 2002 funding: _____.
4. Administered by the U.S. Department of Education
5. Brief description of program.

Part D of Title IX deals with waivers available to SEAs and LEAs to the requirements of ESEA programs. This section allows the Secretary to waive any statutory or regulatory requirements of this Act. Requests by SEAs or LEAs must meet conditions (p. 981-982) and must show how they will promote academic achievement including how this will be measured.

LEAs may submit a waiver request to the Secretary. However, the SEA shall review this request and include comments to the Secretary.

Waivers will not exceed four years, but the Secretary may extend them.

ESEA Reauthorization Information Sheet January 2002

1. Program/Provision Name: General Provisions-Uniform Provisions Title: IX, Part: E
2. Continuing Program
3. National FFY 2001 (current) funding: _____ FFY 2002 (next year) funding: _____
Montana FFY 2001 funding: _____ FFY 2002 funding: _____.
4. Administered by the U.S. Department of Education
5. Brief description of program.

Part E of Title IX deals with uniform provisions across all programs. All items have LEA and SEA implications. The items underlined are particularly important to the SEA. The areas covered include:

- Participation by private school children (p. 986) including equitable services, programs and expenditures at the LEA level. The SEA will consult with private school officials in the design and development of programs. However, the direct control of funds is always with a public agency.

- Complaints from the local level to the Secretary shall be submitted to the SEA for a written resolution by the SEA. The resolution may be appealed to the Secretary.
- No payments from program funds may be paid for religious worship or instruction.
- Private school students may not be required to participate in any assessment referenced in the Act.
- Maintenance of effort is required for covered programs (p. 994).
- Assessment information is protected for privacy under GEPA.
- Prayer is constitutionally protected in public schools (p. 995). Guidance will be provided for this by the Secretary.
- The LEA must certify to the SEA, by October 1 of each year, that no policy denies participation in constitutionally protected prayer in the public schools. The SEA shall report to the Secretary by November 1 of each year a list of LEAs that have not filed the certification.
- There can be no discrimination by the LEA in the use of school facilities.
- General prohibitions include:
 - No promotion of sexual activity,
 - No distribution of obscene materials,
 - No sex/HIV education unless it includes abstinence,
 - No contraception distribution,
 - No federally mandated curriculum,
 - No federal approval of state standards
- LEAs shall provide military recruiters or institutions of higher education access to secondary students' names, addresses, and telephone listings.
- Each SEA shall establish and implement a statewide policy defining persistently dangerous schools and allow students attending those schools to attend a safe school (p. 1002). The SEA must certify that it is in compliance with this section.
- There will be no discrimination at the LEA or SEA levels.