

REVISED,
SECOND EDITION

Special Programs & Services *in* Schools

Creating Options, Meeting Needs

**Bonnie M. Beyer
Eileen S. Johnson**

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We dedicate this book to all students who have been the recipients of special programs and services in schools and to the parents, teachers, support personnel, school administrators, and community members who strive daily to ensure that all children are provided with the opportunity to learn.

A special dedication is extended to our children Beth, Jim, Len, Alex, and Brian, and grandson, Stephen, who have benefited from the educational programs and special services available in schools.

Special Programs & Services in Schools, Revised Second Edition

DEStech Publications, Inc.
439 North Duke Street
Lancaster, Pennsylvania 17602 U.S.A.

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Printed in the United States of America
10 9 8 7 6 5 4 3 2 1

Entry under main title:
Special Programs & Services in Schools: Creating Options, Meeting Needs—Revised, Second Edition

A Proactive Publications book
Includes index p. 219

ISBN: 978-1-60595-175-1

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THROUGHOUT the history of American education, schools have attempted to nurture and support the growth of children and youth through the development of curricular programs and support services that address the needs of all students and help them achieve their highest academic potential. This is a daunting task that has increased the activities of professional educators and service providers in their roles of working with parents, guardians, families, communities, and legislative bodies to serve the best interest of all students in our schools.

Chapter 1 explores the history of the *Elementary and Secondary Education Act* from its roots in 1965 to its present reauthorization as *No Child Left Behind* and the 2010 Department of Education proposal *Blueprint for Reform: Reauthorization of the Elementary and Secondary Education Act*. It provides an introduction to subsequent chapters by outlining NCLB funding programs and options available to schools for the development and implementation of educational programs, health and safety initiatives, support programs and services, and educational options available to parents and students. Chapter 2 discusses curriculum, assessment of student learning, and accountability measures for educational service providers along with College- and Career-Ready initiatives ensuring a highly qualified workforce to teach students and lead our nation's schools. Supplemental services for students at-risk of academic failure or dropping out of school and additional funded educational and support programs are also presented. Included is a discussion of the Common Core Standards, Race to the Top, NCLB waivers, and STEM initiatives.

Specialized education services in the schools are presented and discussed in Chapters 3, 4, and 5. Chapter 3 presents the current status, controversies, and future trends in special education programs serving students with disabilities, including an update of IDEA initiatives. Also addressed are the changing roles and responsibilities of both special and general education teachers and the increased incorporation of parental involvement in the education of their children. Legal processes and procedures are presented along with suggestions for application and administration of special education programs and services. Chapter 4 presents and discusses programs serving students with gifts and talents. The impact of gifted and talented education programs is discussed along with definitions and means of identifying students with gifts and talents. Program development, implementation, and delivery models are presented within the parameters of legal and funding issues. Chapter 5 addresses the needs of English language learners in the schools. Bilingual and English as a second language (ESL) instructional options are discussed and evaluated along with instructional leadership considerations. The roles of the teacher, parent, community,

and school administrator are analyzed along with considerations related to assessment of learning and the Common Core State Standards. Proposed reauthorization initiatives and funding opportunities under the *Blueprint for Reform* are discussed.

Parents and students are increasingly faced with options to traditional public school education formats. Chapter 6, *Alternative Educational Opportunities*, goes beyond the alternative school option for students at risk of academic failure and dropping out of school. This chapter explores a variety of options available to parents and students starting with options within public school systems such as magnet, schools-within-schools, charter schools, and public school choice. Other alternatives such as private and contract schools, home schooling, online schools and distance education are presented along with the impact of vouchers, tax credits, school choice, competition, and alternative funding sources on financing public education. NCLB waivers and college- and career-ready initiatives are addressed. Chapter 7 continues the discussion of educational options for students with the presentation of applied education programs from their earliest beginnings as vocational education to their current status of technical education and school-to-work programs serving industrial and corporate needs. The future trends in applied educational programs along with models of reform and innovative programs including college- and career-ready initiatives are also presented.

Service to students, parents, and the community goes beyond academic programs in elementary and secondary schools. Chapters 8, 9, and 10 address the special needs of students beyond the classroom that can impact a student's ability to learn. Chapter 8 discusses health and human services options in the schools, presenting the roles of the school nurse, social worker, and school counselor in addressing the health and general well-being of students. Health and social issues such as communicable disease, substance abuse, sexually transmitted disease, teen-age pregnancy, and child abuse and neglect are some of the topics presented. Food services in schools, childhood obesity, and physical education programs are also discussed. Finally, the chapter looks at the concept of full-service schools in the form of school-linked or school-based health clinics. Chapter 9 builds upon topics from the previous chapter and presents prevention programs in schools. The variety of programs discussed includes substance abuse, violence, health-related issues, suicide, and drop-out prevention. Student intervention and crisis management programs are assessed along with current controversies and future trends in prevention program development and management. In summary, Chapter 10 addresses student support services in the schools. Guidance and counseling services along with mentoring programs for children and youth are presented and discussed. School-community partnerships such as service learning, internships, and field-based activities are explored along with school-based programs such as before- and after-school programs and activities, tutorial programs, and childcare services. Case studies are included in the chapters, allowing the educator an opportunity to assess their understanding of special programs in schools through the application of knowledge to practice.

The role of educator has expanded beyond the original concept of student and teacher working together toward academic achievement. All the programs addressed in this book are essential to ensure that students are ready to learn and that teachers, support staff, and school administrators are providing the services and support systems to ensure that all students have the best opportunity possible to achieve academically and become well-prepared, active, contributing members of society in the world beyond school.

New in this Edition

The following is a brief list of laws which have appeared since the first edition of this book was published. The consequences of each of these new initiatives—for students and school administrators—represent an important addendum to this revised, second edition. Concomitant changes and updates have been made to the text, case studies and references.

- Common Core State Standards
- Blueprint for Reform: Reauthorization of the Elementary and Secondary Education Act
- Science, Technology, Engineering, and Mathematics (STEM)
- Race to the Top
- NCLB Waivers
- IDEIA Updates
- Completely revised chapter on English Language Learners
- College- and Career-Ready Initiatives
- Blueprint for Reform Proposals and Diverse Learners
- Case Studies Incorporated in Chapters
- Updated Data and Research Base

Title Programs of the Elementary and Secondary Education Act

Introduction

THE *Elementary and Secondary Education Act* (ESEA or the Act) was established in 1965 during the administration of President Lyndon B. Johnson. The Act was part of President Johnson's War on Poverty and a response by the federal government to unequal educational opportunities for disadvantaged children and youth particularly within lower socio-economic groups. Since the Constitution of the United States does not provide for a free public education for its citizens but rather defers that choice to the individual states as part of the 10th Amendment to the Constitution, the federal government can influence public primary education through legal action, such as the 1964 Supreme Court decision in *Brown v. The Board of Education of Topeka*, or through programs that offer funds or funding grants for educational purposes. The U.S. government greatly expanded its influence in the educational arena with the implementation of ESEA and the funds that are made available for the education of disadvantaged children and youth throughout the United States.

The *Elementary and Secondary Education Act* is divided into sections, referred to as Titles, addressing specific elementary and secondary educational topics. These sections of ESEA have maintained certain basic components over time, such as the emphasis on mathematics and reading and the emphasis and aid to educationally disadvantaged children, yet changes and additions have been made with each reauthorization in an attempt to address specific educational and financial concerns, as well as public and political demands of a particular era. Sections of the original *Elementary and Secondary Education Act of 1965* are entitled:

Title I: Educationally Deprived Children

Title II: Libraries and Textbooks

Title III: Supplementary Education

Title IV: Cooperative Research

Title V: State Education Departments

Title VI: Handicapped Children

Title VI: Bilingual Education

Title VIII: Dropout Prevention and Education
(U.S. Government, 1965)

A quick comparison of these Title headings with the Title headings of the most recent reauthorization in 2001 demonstrates some of the immediate differences and expansion of the Act:

- Title I: Improving the Academic Achievement of the Disadvantaged
- Title II: Preparing, Training, and Recruiting High Quality Teachers and Principals
- Title III: Language Instruction For Limited English Proficient and Immigrant Students
- Title IV: 21st Century Schools
- Title V: Promoting Informed Parental Choice and Innovative Programs
- Title VI: Flexibility and Accountability
- Title VII: Indian, Native Hawaiian, and Alaska Native Education
- Title VIII: Impact Aid Program
- Title IX: General Provisions
- Title X: Repeals, Redesignations, and Amendments to Other Statutes
(U.S. Government, 2001)

Major funding for the education of disadvantaged children was and still is provided to the States and subsequently from the State Education Agency (SEA) to the Local Education Agency (LEA) through direct funding, funding grants, or contracts. A comparison of the original contents and intent of ESEA through subsequent reauthorizations to the most current, demonstrates the expansion of services and opportunities and the attempts by the federal government to provide equal educational opportunities for all children. A full outline of the *No Child Left Behind Act of 2001: Reauthorization of the Elementary and Secondary Education Act of 1965* is available in the Appendix.

Historical Background

Following its original implementation in 1965, Congress has reauthorized the *Elementary and Secondary Education Act* in 1978, 1981, 1988, 1994, and most recently in 2001 (Table 1.1). Contents of the Act have come to reflect the political climate, Congressional composition, and expressed educational goals of the elected administration at that particular time in history. Title I of the Act is the basic federal funding vehicle. The original Act directed funding toward a targeted group of students identified as disadvantaged and falling within lower socioeconomic categories. Schools were quick to access the funds. However, in 1978 the Act was reauthorized as *Revisions to the Elementary and Secondary Education Act* (P.L. 95-561) to address the improper distribution of federal funds by the States and schools. Financing was restructured allowing use of federal monies to serve both a targeted population of individually identified students or the application of funds on a school wide or district wide basis based on 75% percent or more of students in a school or district meeting federal guidelines for identifying socio-economically disadvantaged students. In 1981, Congress passed the *Education Consolidation and Improvement Act* (P.L. 97-35), which addressed restrictions on State monitoring requirements and selection of schools. The

Table 1.1. Reauthorizations of the Elementary and Secondary Education Act.

1965 <i>Elementary and Secondary Education Act</i> (P.L. 89-10)
1978 <i>Revisions to the Elementary and Secondary Education Act</i> (P.L. 95-561)
1981 <i>Education Consolidation and Improvement Act</i> (P.L. 97-35)
1988 <i>Hawkins-Stafford Elementary and Secondary Education Improvements Act of 1988</i> (P.L.100-297)
1994 <i>Improving America's Schools Act of 1994: Reauthorizing the Elementary and Secondary Education Act of 1965</i> (P.L.103-382)
2002 <i>No Child Left Behind Act of 2001: Reauthorization of the Elementary and Secondary Education Act of 1965</i> (P.L. 107-110)

Act also eliminated requirements for parental involvement and loosened fiscal regulations. During this time, program sections were changed from Title to Chapter (i.e., Title I to Chapter 1, Title II to Chapter 2), but the basic components remained the same. The *Hawkins-Stafford Elementary and Secondary Education Improvements Act* provided guidance to the education of economically disadvantaged children from 1988 to 1993. At that time, the Act once again addressed funding issues, mathematics, and literacy, but also reemphasized the importance of parental involvement and encouraged the increase of pre-school and secondary school programs.

In 1994, the ESEA was reauthorized as *Improving America's Schools Act of 1994: Reauthorizing the Elementary and Secondary Education Act of 1965*. Section designations were changed from "Chapter" back to "Title," and the application of funds on a school wide or district wide basis was lowered from 75% to 50% of the student population falling into an identifiable lower social-economic category, thus allowing more students the opportunity to benefit from federal funding. School districts were encouraged to apply Title I ideas and newly defined requirements of parental involvement, professional development, curriculum planning, regular assessment of student learning, and the use of highly trained and qualified teachers and teacher aids to all students and programs in a school district rather than only to those students identified as falling within a low socio-economic category. The intent was to encourage states and local school districts to improve education overall while providing equal opportunities for disadvantaged children.

Improving America's Schools Act of 1994 was signed into law by Congress on October 20, 1994 and was designed to work in conjunction with *Goals 2000: Educate America Act (Goals 2000)*, which was approved by Congress in March 1994 and signed into law by President Clinton on March 31, 1994. *Goals 2000* was the most aggressive educational plan to that point and mandated setting high expectations for student achievement. Title I of *Goals 2000* formalized into law eight National Education Goals, and stated the expectation that all the goals would be met by the year 2000 (Table 1.2).

In order to receive funds under this plan, the States were responsible for developing comprehensive improvement plans geared to high standards of achievement for all students. States had the option of using a plan currently in place or developing a new State plan to meet federal requirements. Reform plans were to be sent by each State to the U. S. Secretary of Education for approval. One of the components of the *Improving America's Schools Act of 1994* dealt with high standards and regular assessment of student learning in grades 3, 6, and 8. Though past reauthorizations were directed toward increased student competency in mathematics and reading, none prior to 1994 required testing at specified intervals to assess student learning. Under the Act, schools and LEAs were held accountable for student achievement results based upon an approved state assessment plan. Additionally, an intensive professional development program was required to support the development of highly qualified teachers, para-professionals, and school principals.

The ESEA's most recent update and revision occurred in 2001 and is entitled *No Child Left Behind Act of 2001: Reauthorization of the Elementary and Secondary Education Act of 1965*. The Act is more commonly referred to and known as *No Child Left Behind (NCLB)*. This most recent reauthorization received strong bipartisan support in Congress, yet has become the most politically contentious to date due to the strong emphasis and requirements in Title I on accountability measures directed toward improving student achievement, the emphasis in Title II on the requirement for highly qualified teachers and principals, and some sections in Title V related to parental choice, innovative programs, and charter schools. Chapter 2 of this text will provide a more in-depth review of Titles I and II of the *No Child Left Behind* reauthorized ESEA of 2001. In a continued effort to improve educational opportunities for all children, the school- wide or district-wide basic funding formula was once again lowered, this time from 50% to 40%, encour-

Table 1.2. Goals 2000: Educate America Act.

Title I - National Education Goals	
1. School Readiness	All children in America will start school ready.
2. School Completion	All students in America will be competent in the core academic subjects.
3. Student Achievement and Citizenship	The high school graduation rate will increase to at least 90 percent.
4. Teacher Education and Professional Development	All teachers will have the opportunity to acquire the knowledge and skills needed to prepare U.S. students for the next century.
5. Mathematics and Science	U. S. students will be first in the world in math and science.
6. Adult Literacy and Lifelong Learning	Every adult American will be literate and possess the skills necessary to compete in the economy of the 21st century.
7. Safe, Disciplined, and Alcohol and Drug-free Schools	Every school in America will be safe, disciplined, and alcohol and drug-free.
8. Parental Participation	Every school will promote parental involvement in their children's education.

U. S. Government (1994) Goals 2000: Educate America Act. 20 USC 5801. Washington, DC: U.S. Government Printing Office.

aging districts to adopt proven research-based educational improvement programs throughout a district and at the same time enabling a higher number of students to benefit from federal funding, resources, and the application of research-based instruction.

There have been no revisions to the *Elementary and Secondary Education Act* since the *No Child Left Behind Act of 2001*, although the Department of Education issued a *Blueprint for Reform of the Elementary and Secondary Education Act* in 2010 (U.S. Department of Education, 2010c). “The Obama administration’s blueprint to overhaul the No Child Left Behind Act (NCLB) will support state and local efforts to help ensure that all students graduate prepared for college and a career” (U.S. Department of Education, 2010e). Priorities in this blueprint are:

- College- and Career-Ready Students
 - Great Teachers and Leaders in Every School
 - Equity and Opportunity for all Students
 - Raise the Bar and Reward Excellence
 - Promote Innovation and Continuous Improvement
- (U.S. Department of Education, 2010a).

While this blueprint has been in development, implementation of the blueprint has already begun, such as specialized incentive programs and waivers developed and granted by the government such as: “Race to the Top” incentives, individual state applications for accountability waivers of NCLB requirements related to student academic achievement goals, teacher evaluations, and school principal evaluations. Along with the accountability measures have been efforts to standardize curriculum and assessment across the nation, such as moves towards a common core curriculum and standardized testing. Appendix B of this book outlines the ESEA Reauthorization: A Blueprint for Reform proposal (U.S. Department of Education, 2010b). Appendix C offers a comparison of NCLB and the Blueprint for Reform developed by the Department of Education (U.S. Department of Education, 2010d).

Over the years, the Act has consistently strived to address educational needs in such areas as

low academic achievement in reading and mathematics, bilingual/ESL education, education of migrant children, educational opportunities for indigenous American populations, and gifted and talented programs among others. The original emphasis was on mathematics and reading programs at the elementary level, offering States Title I monies, which were then distributed to local school districts in an effort to increase student achievement in these basic skills. School districts developed specialized programs primarily in the elementary grades, but also on the secondary level particularly in mathematics and reading—in the 9th and 10th grades. These specialized programs have offered educational support to low-achieving students in the form of summer enhancement classes, pull-out programs, private tutorials, class instructional aides, Title I instructors, professional development, computer assisted instruction, before- and after-school programs, math and reading camps, early education opportunities, parent education programs, and services extended to homeless, delinquent, and migrant children.

Originally the program was directed at a targeted student population of economically disadvantaged children, making it necessary to address the needs only of individuals or small groups of students in one-on-one sessions, often referred to as pull-out programs. These programs are so named because students were taken out, or “pulled-out,” of the classroom during the regular school day to receive specialized instruction. Provision of these programs to students often required separate classrooms or smaller breakout rooms for small student groups or individualized instruction. It was not unknown for Title I instruction to take place in school hallways, behind partitions, or even in converted closets of schools, particularly within low socio-economic districts and over-crowded schools where additional classroom space was not available. Over the years, it became apparent that pull-out programs were not as effective as desired, there was minimal or no increase in student academic achievement, and learning in other academic subjects was affected due to the fact that students were being taken out of the regular classroom during instructional time and missing instruction in subjects such as history, science, geography, music, or physical education (Anderson and Pellicer, 1999).

Generally, with each reauthorization, Title sections have been retained, expanded, or incorporated into other Titles, and new Title sections have been added based on current and projected future student populations and their educational needs. Mathematics and literacy have remained as integral parts of the funded programs, yet over the years additional attention has been paid to at-risk students, safe and drug free schools, parental involvement, early childhood education, education of migrant children, rural schools, programs for the gifted and talented, and increased educational opportunities for indigenous peoples. As the nation has grown and changed since 1965, so has the *Elementary and Secondary Education Act* been revised to address the changing educational requirements of students and schools.

A review of the contents of the most recent reauthorization of ESEA, including subsections, provides the reader with a more comprehensive view of the educational programs funded and supported under *No Child Left Behind*. A more detailed view of NCLB contents can be found in Appendix A. An ambitious scholar may want to compare and contrast the development of ESEA programs over the years, particularly changes due to political influences or a comparison of the 1994 and 2001 reauthorizations and their emphasis on assessment of learning, accountability, and highly qualified teachers, staff, and school principals.

States or local school districts have the option to refuse funding under Title I and would thus not be required to meet the federal guidelines and requirements such as assessment of student learning and highly qualified teachers and principals. Rejection of federal funds does not, however, exempt schools and school districts from meeting state standards. It is important to keep in mind that the provision of free public education is a role designated to the States and that the federal government’s involvement in education is only a result of the acceptance of federal funds to supplement state and local educational programs.

General Overview of NCLB Title Programs

For the purposes of this book, discussion of Title programs will be based on the most current reauthorization of the ESEA more commonly referred to as *No Child Left Behind*. Title I: Improving The Academic Achievement of the Disadvantaged and Title II: Preparing, Training, And Recruiting High Quality Teachers and Principals have been the most highly questioned and discussed sections of the Act in its most recent reauthorization and will therefore be addressed in Chapter 2 in an effort to provide for a more detailed exploration of these sections. The following review of Titles III through X will hopefully assist the reader in developing a more comprehensive understanding of the extent of the Act and its impact on educational opportunities for all children. Title descriptions will attempt to show what's new in NCLB and provide information as applicable in such areas as accountability, flexibility, programs and instruction, expectations for student performance, parental involvement, or appropriate use of funds. Throughout NCLB, a strong emphasis has been placed on the application of curriculum and instruction that is tied to scientifically based research and demonstrated effectiveness (U.S. Government, 2002).

Language Instruction for Limited English Proficient and Immigrant Students (Title III)

The goal of Title III, Language Instruction for Limited English Proficient and Immigrant Students, is to assist Limited English Proficient (LEP) students gain both oral and written proficiency in the English language and to help these students “meet the same challenging state standards required of all students” (U.S. Department of Education, 2002; p. 62). English proficiency is the goal of this program. Flexibility is afforded to school districts to choose the method of instruction used to meet this goal; however, instructional programs must be based on scientific research. As stated by the U.S. Department of Elementary and Secondary Education:

State education agencies and districts have the flexibility to implement language instruction programs based on scientifically based research on teaching limited English proficient children. In addition, professional development is to be informed by scientifically based research that demonstrates its effectiveness in increasing children's English proficiency or teachers' knowledge and skills, and is of sufficient intensity and duration to have a positive and lasting impact on the teachers' performance in the classroom (U.S. Department of Education, 2002; p. 64).

States are required to establish standards and benchmarks. Annual achievement objectives for LEP students must relate to gains in English proficiency. Ninety-five percent of funds received by the states under this Title must be directed to the local level in the form of sub grants. In return, LEAs are responsible for meeting annual achievement goals and for making adequate yearly progress. Failure to meet annual yearly progress as established by the State will require the LEA to develop an improvement plan. Sanctions are required if the LEA fails to make annual yearly progress for four consecutive years. More detailed information regarding LEP, bilingual, and English as a second language programs can be found in Chapter 6.

21st Century Schools (Title IV)

Safe and Drug-Free Schools and Communities

The purpose and rationale of the Safe and Drug-Free Schools and Communities program is to:

... prevent violence in and around schools; prevent the illegal use of alcohol, drugs, and tobacco by

young people; and foster a safe and drug-free learning environment that supports academic achievement. Without safe and orderly learning environments, teachers cannot teach and students cannot learn. Students and school personnel need a secure environment, free from the dangers and distractions of violence, drug use, and lack of discipline, in order to ensure that all children achieve to their full potential (U.S. Department of Education, 2002; p. 66).

There are two main components to the Safe and Drug-Free Schools (SDFS) program. There is a state formula grant program, and there are national programs. Under the state program, 80 percent of funding is provided to the SEA and 20 percent to the office of the governor. Five percent of the state funding may be used for state-level activities related to SDFS. This money may be used for program evaluation, training, and for providing services to LEAs and community groups. The remaining 75 percent is available for distribution to LEAs for prevention programs and program compliance. Governors' funding grants may be allocated to schools and communities for services to children and youth who may be dropouts, pregnant or parenting, suspended, or expelled. School districts and communities can access these funds from the office of the governor through grants and contracts. States are required to conduct a needs assessment and develop a plan that includes performance measures for prevention activities. Plans are to be developed in consultation with parents, students, and community-based organizations and made available for public review. Additionally, the office of the governor may not duplicate prevention efforts formulated by SEAs and LEAs; program funds are to supplement, not supplant, other funding; and, the state and local agencies must cooperate with national evaluation and data collection activities.

Each state is required to establish a uniform management and reporting system to collect information on school safety and drug use among young people. This information will be publicly reported so that citizens have the information they need to ensure that their local schools are free from violence and drug use, and, in cases where schools fall short, to encourage improvement and track progress over time (U.S. Department of Education, 2002; p. 67).

The national programs initiative provides discretionary funding for efforts by state and local educational agencies to improve drug and violence prevention. This program comprises a variety of new or revised initiatives, each with specific provisions as to who may apply for federal monies and what funds may be used. The approved discretionary funding initiatives are categorized and entitled as: Hate Crime Prevention; National Coordinator Program; Community Service Grant Program; School Security Technology and Resource Center; National Center for School and Youth Safety; Grants to Reduce Alcohol Abuse; and Mentoring Programs (U.S. Department of Education, 2002; p. 70).

Gun-Free Requirements

This section of Title IV requires states to have in effect a law prohibiting guns and other explosive devices such as bombs, rockets, and grenades in schools. Under this law, a student in possession of a gun or other dangerous weapons in school must be expelled from school for one year. The law clarifies that a student must be expelled not just for possessing a gun in school, but also for bringing a gun to school (U.S. Department of Education, 2002, p. 71). Schools have the option of modifying an expulsion on a case-by-case basis. The modification must be in writing and submitted to the state. The only exceptions to this law are

... firearms that are inside a locked vehicle on school property, and firearms that are brought to school or possessed in school for activities approved and authorized by the district, if the district adopts appropriate safeguards to ensure student safety (U.S. Department of Education, 2002; p. 71).

Schools may provide educational services to expelled students in an alternative setting and as circumstances require; the expulsion must be administered consistent with the *Individual with Disabilities Act* for students with identified disabilities. Additionally, districts are required to refer offending students to the juvenile delinquency or criminal justice system. In order to receive ESEA funds, States must show that they are in compliance with the *Gun-Free Schools Act*, collect expulsion data from school districts, and annually report to the U.S. Department of Education the names of schools that have expelled students, the number of students expelled, and the type(s) of firearms involved.

21st Century Community Learning Centers

21st Century Community Learning Centers focuses funding efforts on providing services to students, parents, and the community outside of regular school hours, particularly for those students attending low- performing schools, in an effort to help students meet academic achievement standards. These services may focus on improving student academic achievement, recreation programs, the arts, drug prevention, youth development programs, and literacy services for parents. Such programs can be before or after school, in the evenings, on weekends, or during the summer. Funding is no longer restricted to school districts under NCLB, but is now also available to governmental agencies, faith-based and community organizations, as well as public or private entities to develop and provide these services. A good example of how this type of collaboration can serve children and communities is a \$12 million initiative between the City of Detroit, the Detroit Public Schools, and seven nonprofit groups for after-school programs “to create after-school activities that will help kids stay out of trouble” (Feighan, 2004). The grant was secured from the state education department through an initiative called Michigan State 21st Century Community Learning Centers, and the programs provided by over 50 community-based organizations and directed toward boosting academic achievement and creating safe environments for children and youth.

The responsibility of the state is to ensure that funding grants go to serve children who attend schools with a high percentage of low-income students or attend those schools eligible for school-wide programs. Transportation needs must also be addressed to ensure that children and their families can participate in the programs. States must create program planning and monitoring guidelines, establish performance indicators, evaluate the effectiveness of programs, and ensure that funded community learning centers will be sustained after the grant period.

Environmental Tobacco Smoke

Smoking is prohibited in buildings used to provide children under 18 with health care, day care, education, or library services as part of the *Pro-Children Act* of 2001. This section of NCLB covers children’s services that are funded through the U.S. Department of Education, the Department of Health and Human Services, and the Department of Agriculture Special Supplemental Nutrition Program for Women, Infants, and Children. States and state agencies, which include schools and school districts, must prohibit smoking in any building that provides services to children (U.S. Department of Education, 2002; p. 76).

Promoting Informed Parental Choice and Innovative Programs (Title V)

Title V, Promoting Informed Parental Choice and Innovative Programs, is the repository for a wide variety of programs, topics, and interests ranging from schools of choice, charter schools, physical education, gifted education, apprenticeship and exchange programs, to women’s educational equity and community technology centers. The stated purpose of Title V is to:

... assist local education reform efforts that are consistent with and support statewide reform efforts. They also support state and local efforts to implement promising education reform programs, provide a continuing source of innovation and educational improvement, help meet the special education needs of at-risk and high-need students, and support programs to improve school, student, and teacher performance (U.S. Department of Education, 2002; p. 77).

The funding received by states and districts under Title V can be utilized in a broad range of programs designed to improve teacher quality and the academic achievement and quality of education for students. To ensure that federal funding reaches schools and teachers closest to students, "States must distribute 100 percent of the funds that they receive *beyond what they received in FY 2002* to districts" (U.S. Department of Education, 2002; p.77). In addition, States are required to use their share of federal funds to support efforts directed toward school renovations, technology, school choice programs, and the implementation of other associated reform efforts.

The following sections provide a broad overview of the contents of Title V and will provide the reader with a more detailed view of some of the most often discussed topics that are part of this section of NCLB. It is suggested that the reader refer to Appendix A to review all the topics and programs contained in Title V. Specific topics such as special education (Chapter 3), gifted and talented programs (Chapter 4), foreign language assistance and ESL programs (Chapter 5), vocational education (Chapter 7), programs serving high-need and at-risk students (Chapters 3, 9, and 10), health issues (Chapter 8), elementary and secondary school counseling (Chapter 10), character education, parental involvement, community education, and educational equity (Chapter 6) are presented and discussed in depth in other chapters of this book. The reader should refer to the Table of Contents or Index to locate a particular program or topic that may be of specific interest.

Voluntary Public School Choice

The Voluntary Public School Choice program provides funding to establish or expand programs that allow a greater choice in where parents may send their children to school. NCLB requires that options be made available to parents and students that would allow them to move from a low-performing school to a school that can provide a higher-quality education. School choice provides parents and students with the option to choose high-quality educational programs rather than remain in a school that does not meet state educational standards. It promotes competition among schools, which is intended to multiply high-quality educational programs for students in all schools. This, hopefully, will eventually eliminate the need for any parent or student to have to choose to go to another school because of low-quality academic programs. The program helps SEAs and LEAs implement public school choice policies

... by providing funds for transportation, tuition transfer payments to the schools that students choose to attend, increasing the capacity of high-demand schools to serve greater numbers of students, and disseminating information about open-enrollment options (U.S. Department of Education, 2002; p. 83).

Grants are available to states, school districts, or partnerships developed between one of these agencies and another organization. Per-pupil funding is provided to a local school district to support the education of an individual child. Therefore, the funding follows the child to the new school. This cuts down on the tendency to misuse funds for purposes other than instruction of students meeting eligibility criteria or whole-school programs specified under ESEA. School choice programs are evaluated under this Title on the basis of:

1. the extent to which programs promote educational equity and excellence;
2. the characteristics of participating students; and

3. the programs' effects on the academic achievement of participating students, particularly those who move from low- to higher-performing schools, and on the overall quality of participating schools and districts (U.S. Department of Education, 2002; p. 84).

Increased accountability for student performance and empowerment of parents are key factors in this program.

Voluntary Public School Choice offers options to parents of children in low-performing schools and increases accountability for student performance. The program requires evaluation of the effects of the program on academic achievement of student participants, the characteristics of students participating in the program, and the extent to which the program promotes educational equity and excellence. The federal government evaluates SEAs to determine whether these goals are being achieved. The program thus

... authorizes competitive awards to state education agencies (SEAs) school districts or partnerships that include an SEA or a district and another organization. Funding is available to establish or expand programs that provide students and parents with greater public school choice. Grants are for up to five years, and grantees may use up to one year for planning or program design (U.S. Department of Education, 2002; p. 83).

Magnet Schools

Magnet schools were initially developed during the 1960s under Title IV of the *Civil Rights Act of 1964* and were developed as an option to eliminate, reduce, or prevent the isolation of minority groups in elementary and secondary schools. Magnet schools are designed to offer innovative educational programs not available in regular schools and to provide opportunities for students to learn and interact in racially diverse environments. Discretionary grants are provided through the Magnet School Assistance Program (MSAP) to school districts that are under a court-ordered or federally approved voluntary desegregation plan:

Districts (or a consortium of local school districts) that receive an award must use it to reduce, eliminate, or prevent minority group isolation, increase student academic achievement, continue the magnet school program after assistance is no longer available, and implement services to improve the academic achievement of all students attending the magnet school program (U.S. Department of Education, 2002; p. 86).

Magnet School Assistance grants provide school districts with the capacity to offer programs not generally found in local public schools and provide opportunities for students to learn in a racially diverse environment. Funds may be utilized on programs to improve academic achievement based on state designed content standards in reading, mathematics, science, English, history, geography, foreign languages, music, or art. Funding may also be directed toward programs that support the improvement of vocational, technological, and professional skills (Table 1.3).

Charter Schools

Charter schools provide a form of flexibility and innovation available to states and local school districts to provide educational options not available within a traditional public school system.

The Charter School Program (CSP) was authorized in October 1994, under Title X, Part C of the Elementary and Secondary Education Act of 1965 (ESEA), as amended, 20 U.S.C. 8061-8067. The program was amended in October 1998 by the Charter School Expansion Act of 1998 and in January 2001 by the No Child Left Behind Act of 2001 (U.S. Department of Education, 2003b; p. 2).

Table 1.3. Magnet School Funding Objectives.

<p>Support federal technical assistance and dissemination of successful programs. Expand national activities to include technical assistance and dissemination activities. Requires the U.S. Department of education to collect and disseminate information on successful magnet school programs.</p> <p>Build a grantee's capacity to operate magnet school programs. Expands the uses of funds to include professional development in order to operate magnet school programs after the grant period has ended.</p> <p>Provides more flexibility in administering magnet school programs. A district may use their grant to serve students who are not enrolled in the magnet program.</p> <p>Increases flexibility in designing magnet schools. Enables grantees to have flexibility in designing magnet schools for students in all grades.</p> <p>Allows more funds to be used for planning. Increases the cap on the amount of funds that may be used for planning, from 10 to 15 percent in a project's third year.</p>

U. S. Department of Education, Office of Elementary and Secondary Education (2002). *No child left behind: A desktop reference*. Author: Washington, D. C., p. 85.

Title V provides competitive grants to both individual charter schools and States for the planning, design, or initial implementation of charter schools and to evaluate the effectiveness of those schools. Monies may also be utilized for dissemination of information about successful charter schools to assist other schools in the development of a public CSP. Charter schools are held under the same standards as other schools in hiring and maintaining a highly qualified teaching and administrative staff and in the development and maintenance of superior programs. Funding for this section of NCLB is unique in that it lifts restrictions on awards:

Eligibility has been extended beyond state education agencies (SEAs), in partnership with districts or non-profit groups or colleges, to also include districts, which may partner with other districts or non-profit groups or colleges. Private school children and teachers are authorized to participate. Restrictions on the number of grants that can be made and the total amount of funding each grantee may receive have been lifted (U.S. Department of Education, 2002; p.89).

Collaboration among school personnel, parents, and community members is encouraged in the development of school curricula and special programs that emphasize citizenship, respect, responsibility, trustworthiness, justice, and giving as aspects of character.

Part B, Subpart 2 of Title V awards grants to offset the cost of acquiring, constructing, or renovating a charter school. This section of NCLB is aimed at increasing the number of charter schools as well as expanding the number of students an existing charter school may serve. Grant money must be placed in a reserve account and used to guarantee or insure debt to finance charter school facilities, insure leases of personal and real property, assist in identifying potential lending sources, encouraging private lending, and facilitating bond issues by charter schools or other public entities for the benefit of charter schools (U.S. Department of Education, 2002; p. 81).

Elementary and Secondary School Counseling

Counseling services in schools provide essential support to the educational, social, and emotional development of children and youth. School counselors help students understand peer and family relationships, develop and understand socially acceptable behaviors, develop decision-making skills, and assist students in career and academic planning. School counselors work closely with teachers, families, the community, and other specialists such as school psychologists, social workers, and child and adolescent psychiatrists in addressing the special needs of

ESEA Reauthorization: A Blueprint for Reform of the Elementary and Secondary Education Act

Blueprint Proposal:

Accountability

- Asking states to set standards that prepare students for college and careers.
- Creating a fair accountability system that recognizes and rewards growth and progress.
- Providing flexibility to state and local educators to innovate and create local solutions.
- Focusing rigorous, meaningful interventions and support for the lowest performing schools that also have not demonstrated any progress.
- Recognize and reward schools that increase student achievement and close achievement gaps—and recognize and reward districts and states that turn around their lowest-performing schools.
- Give the majority of schools and districts the flexibility to use a wide variety of data to design their own improvement plans to increase achievement and close gaps.
- Challenge schools that have achievement gaps that aren't closing or low student achievement that's not improving to use data-driven, evidence-based interventions.
- Require states to identify the bottom 5 percent of their schools that haven't made progress and turn them around using one of four models.

A Complete Education

- Literacy
- Science, Technology, Engineering, and Mathematics (STEM)
- Ensure a Well-Rounded Education
- College pathways and accelerated learning
- Activities to strengthen a complete education

College and Career Ready Standards and Assessment

- Rigorous college-and career-ready standards
- Rigorous fair accountability and support at every level
- Measuring and supporting schools, districts, and states
- Building capacity for support at every level
- Fostering comparability and equity
- Assessing achievement

Diverse Learners

- Education for students with disabilities
- Education for English learners
- Education for migrant students
- Education for homeless children and youth
- Education for neglected and delinquent children and youth
- Education for Indian, Hawaiian Native, and Alaskan Native students
- Education for rural students

Early Learning

- Continued Title I support of preschool
- Birth-through-college-to-career-agenda
- Comprehensive education reforms
- Encouragement for innovation in early learning
- Joint professional development
- Expanding administrator's knowledge of early learning
- Support for teachers of young children
- Seamless transitions and improved coordination
- Strengthen literacy and STEM P-12 plans
- Increased learning time for young children
- Comprehensive early learning assessment systems

Families and Communities

- Supporting comprehensive district approaches to family engagement
- Enhancing district capacity around family engagement
- Providing a new Family Engagement and Responsibility Fund
- Identifying and supporting best practices
- Successful, safe, and healthy students program
- Promise Neighborhoods Program
- 21st Century Community Learning Centers
- Better information for families about their children's schools
- Better information for families on teacher and principal effectiveness

- Family notification
- Effective teachers engaging families
- Effective leaders engaging families
- Family literacy
- Meaningful high-quality choices

Public School Choice

- Support effective public school choice
- Supporting effective charter schools
- Promoting public school choice
- Continuing the Magnet Schools Assistance Program

Reward Excellence and Promote Innovation

- Fostering a Race to the Top
- Supporting effective public school choice
- Promoting a culture of college readiness and success
- Supporting, recognizing, and rewarding local innovations
- Supporting student success

Rural Schools

- Dedicated formula funding
- Level playing field in competitions
- Greater flexibility with funds
- Improve the teaching corps
- Change teacher quality rules so they work better for rural schools
- Flexibility in interventions
- Cuts red tape
- Turnaround options
- Technology
- School and community collaboration
- Autonomous public schools

Science, Technology, Engineering, and Mathematics Education

- Targeted supports to teachers and schools
- Fostering innovation
- Enhancing partnerships
- Improving assessments
- Other subjects in accountability systems
- Recognition and rewards
- Strengthening preparation programs
- Relevant professional development and collaboration time

Supporting Teachers

- Increasing funding
- Responding to teachers' voices
- Sharing responsibility
- Improving evaluations
- Rewarding success
- Focusing on growth
- Supporting teachers in closing gaps
- Improving achievement through flexibility
- Increasing collaboration time
- Holding preparation programs accountable
- Funding relevant professional development
- Improving principal leadership

Turning Around Low Performing Schools

- Transformation model
- Turnaround model
- Restart model
- School closure model

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Comparisons Between NCLB and the Blueprint for Reform Based on Information from: A Blueprint for Reform

Core Policies to Maintain in ESEA Reauthorization

- Disaggregation and focus on improving performance of all groups of students.
- Focus on equity.
- Standards-base reform and accountability.

NCLB: Accountability

- “Race to the bottom” for state standards.
- Focus on proficiency; schools making progress can still be “failing.”
- Many ways to “fail,” no recognition for success.
- Exclusive focus on tests, narrowing of curriculum.
- Mandated SES and choice.
- Over-identifies schools.
- Allowing persistently low-performing schools to avoid real change.
- Punitive/labels without support.
- All consequences focused at the school level.

Blueprint for Reform: Accountability

- States adopt college- and career-ready standards.
- Differentiation of schools based on student growth and school progress.
- Real rewards for high poverty schools, districts, states showing real progress especially in serving underserved populations and closing achievement gaps.
- Development and support the use of assessments.

- Look beyond assessments in determining what a school needs, including attendance, conditions of learning, course completion to paint a fuller picture of a school.
- Allow use of additional subjects.
- Additional resources for developing a well rounded curriculum.
- More flexibility around best how to serve schools; no mandated or SES choice.
- Targets more limited portion of schools for significant intervention.
- Meaningful change in persistently low-performing schools.
- Meaningful investment in low-performing schools.
- Holding every level of the system responsible for improvement and support.

NCLB: Teachers and Leaders

- Not focused enough on the profession and teacher voice.
- No acknowledgement or support of teacher collaboration.
- Equitable distribution requirements not meaningful.
- Ignored need for better school leaders.

Blueprint for Reform: Teachers and Leaders

- Utilize surveys of teachers (around working conditions, professional development, and support) and surveys for conditions for learning that include teacher perspective.
- Invest in expanded learning time programs that provide more time for educators to plan and collaborate.
- Greater focus on getting great teachers where they are needed most.
- Invest in preparing and improving better leaders.

Blueprint for Reform: Broad Principles

- Make accountability about more than test scores for most schools.
- Fund development of measurement systems around conditions of learning.
- Greater opportunity and structures for positive adult-student relationships.
- Funding for providing comprehensive services so that students are safe, healthy, able to focus on learning.
- Encourage funding equity

Source: U.S. Department of Education (2010). *ESEA reauthorization: A blueprint for reform. NCLB and the Blueprint* Powerpoint nclb_and_blueprint.ppt. Retrieved from <http://www2.ed.gov/policy/elsec/leg/blueprint/index.html>

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BONNIE M. BEYER is currently a Professor of Educational Administration and Coordinator of Educational Leadership Programs at the master, education specialist, and doctoral levels in the College of Education, Health and Human Services at the University of Michigan-Dearborn. She has served as the Associate Dean and Coordinator of Academic Services of the previous titled School of Education. She has taught and conducted research on organizational leadership and development, K–12 school leadership, school and administrative law, special programs in schools, public relations, and curriculum development. Her education experience prior to the university setting includes administration of both regular and special education programs in public, private, and parochial schools. Dr. Beyer has published in national and international journals, presented at state, national, and international conferences, and is the author of numerous articles, book chapters, and books on special and compensatory programs in schools.

EILEEN S. JOHNSON is an associate professor in the Department of Organizational Leadership at Oakland University where she teaches courses in curriculum and staff development, ethics and philosophy of educational leadership, learning theories and psychological issues in education, and research methods. A former public school teacher, school psychologist, and educational diagnostician, she continues to provide consultation services on issues of student learning in private and public educational settings. Dr. Johnson has published and made presentations at state and national conferences in her areas of research and interest.