

Title I, Part A of the Elementary and Secondary Education Act

Reauthorized December 10, 2015 by Title I, Part A of
the Every Student Succeeds Act
(Effective After the 2016-2017 School Year)

Section 1111, State Plans, Coordination (20 U.S.C. 6311(a)(1)(B))

(a) FILING FOR GRANTS.

(1) IN GENERAL. For any State desiring to receive a grant under this part, the State educational agency shall file with the Secretary a plan that is—

(A) developed by the State educational agency with timely and meaningful consultation with the Governor, members of the State legislature and State board of education (if the State has a State board of education), local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State, teachers, principals, other school leaders, charter school leaders (if the State has charter schools), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents;

(B) is coordinated with other programs under this chapter, the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.], the Rehabilitation Act of 1973 (20 U.S.C. 701 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), the Education Sciences Reform Act of 2002 (20 U.S.C. 9501 et seq.), the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621 et seq.), the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.), and the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.).

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Section 1111, State Plans, Services for Homeless Children and Youth (20 U.S.C. 6311(g)(1)(F))

(g) OTHER PLAN PROVISIONS.—

(1) DESCRIPTIONS.—Each State plan shall describe--

...

(F) how the State educational agency will provide support to local educational agencies in the identification, enrollment, attendance, and school stability of homeless children and youths; ...

Section 1111, State Plans, State Report Cards (20 U.S.C. 6311(h)(1)(C)(ii) and (iii))

(h) REPORTS.—

(1) ANNUAL STATE REPORT CARD.—

... (C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

... (ii) For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), homeless status, status as a child in foster care, and status as a student with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code) on active duty (as defined in section 101(d)(5) of such title), information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1).

(iii) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), and for purposes of subclause (II) of this clause, homeless status and status as a child in foster care—

... (II) high school graduation rates, including four-year adjusted cohort graduation rates and, at the State's discretion, extended-year adjusted cohort graduation rates.

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 The State shall include in its annual State report card--

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Deleted: information, in the aggregate, on student achievement at each proficiency level on the State academic assessments described in subsection (b)(3) of this section (disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student);

Section 1112, Local Educational Agency Plans, Coordination (20 U.S.C. 6312(a)(1)(B))

(a) PLANS REQUIRED

(1) SUBGRANTS. A local educational agency may receive a subgrant under this part for any fiscal year only if such agency has on file with the State educational agency a plan, approved by the State educational agency, that—

(A) is developed with timely and meaningful consultation with teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders (in a local educational agency that has charter schools), administrators (including administrators of programs described in other parts of this title), other appropriate school personnel, and with parents of children in schools served under this part; and

(B) as appropriate, is coordinated with other programs under this Act, the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Rehabilitation Act of 1973 (20 U.S.C. 701 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the McKinney-Vento Homeless Assistance Act (42 U.S.C. 114301 et seq.), the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.), and other Acts as appropriate.

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Section 1112, Local Educational Agency Plans, Services (20 U.S.C. 6312(b)(6))

(b) PLAN PROVISIONS, -- To ensure that all children receive a high-quality education, and to close the achievement gap between children meeting the challenging State academic standards and those children who are not meeting such standards, each local educational agency plan shall describe—

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(E) a description of how the local educational agency will coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as—

- (i) Even Start, Head Start, Reading First, Early Reading First, and other preschool programs, including plans for the transition of participants in such programs to local elementary school programs; and
- (ii) services for children with limited English proficiency, children with disabilities, migratory children, neglected or delinquent youth, Indian children served under part A of subchapter VII of this chapter, homeless children, and immigrant children in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program;

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Comment: This entire section was eliminated. There are new sections addressing coordination with certain programs, such as early childhood education programs and services for neglected and delinquent students, and the reference to homeless children contained here has moved to new paragraph (6), below.

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(6) the services the local educational agency will provide homeless children and youths, including services provided with funds reserved under section 1113(c)(3)(A), to support the enrollment, attendance, and success of homeless children and youths, in coordination with the services the local educational agency is providing under the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.);

Section 1113, Eligible School Attendance Areas, Homeless Reservation of Funds (20 U.S.C. 6313(c)(3))

(c) ALLOCATIONS

...

(3) RESERVATION OF FUNDS.

(A) IN GENERAL.-- A local educational agency shall reserve such funds as are necessary under this part, determined in accordance with subparagraphs (B) and (C), to provide services comparable to those provided to children in schools funded under this part to serve—

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(i) homeless children and youths, including providing educationally related support services to children in shelters and other locations where children may live;

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(ii) children in local institutions for neglected children; and

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(iii) if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

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(B) METHOD OF DETERMINATION.—The share of funds determined under subparagraph (A) shall be determined—

(i) based on the total allocation received by the local educational agency; and

(ii) prior to any allowable expenditure or transfers by the local educational agency.

(C) HOMELESS CHILDREN AND YOUTHS.—Funds reserved under subparagraph (A)(i) may be—

(i) determined based on a needs assessment of homeless children and youths in the local educational agency, taking into consideration the number and needs of homeless children and youths in the local educational agency, and which needs assessment may be the same needs assessment as conducted under section 723(b)(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11433(b)(1)); and

(ii) used to provide homeless children and youths with services not ordinarily provided to other students under this part, including providing—

(I) funding for the liaison designated pursuant to section 722(g)(1)(J)(ii); and

(II) transportation pursuant to section 722(g)(1)(J)(iii) of such Act (42 U.S.C. 11432(g)(1)(J)(iii)).

Section 1115, Targeted Assistance Schools (20 U.S.C. 6315(c)(2)(E))

(C) ELIGIBLE CHILDREN

...

(2) CHILDREN INCLUDED

...

(E) Homeless children

A child who is homeless and attending any school served by the local educational agency is eligible for services under this part.

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Section 1111, State Plans, Collaboration with Child Welfare Agency (20 U.S.C. 6311(g)(1)(E))

(g) OTHER PLAN PROVISIONS.—

(1) DESCRIPTIONS.—Each State plan shall describe--

...

(E) the steps a State educational agency will take to ensure collaboration with the State agency responsible for administering the State plans under parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq. and 670 et seq.) to ensure the educational stability of children in foster care, including assurances that—

(i) any such child enrolls or remains in such child’s school of origin, unless a determination is made that it is not in such child’s best interest to attend the school of origin, which decision shall be based on all factors relating to the child’s best interest, including consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement;

(ii) when a determination is made that it is not in such child’s best interest to remain in the school of origin, the child is immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment;

(iii) the enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records; and

(iv) the State educational agency will designate an employee to serve as a point of contact for child welfare agencies and to oversee implementation of the State agency responsibilities required under this subparagraph, and such point of contact shall not be the State’s Coordinator for Education of Homeless Children and Youths under section 722(d)(3) of the McKinney- Vento Homeless Assistance Act (42 U.S.C. 11432(d)(3));

Section 1112, Local Educational Agency Plans, Assurance Related to Children Foster Care (20 U.S.C. 6312(c)(5))

(c) ASSURANCES.—Each local educational agency plan shall provide assurances that the local educational agency will—

...

(5) collaborate with the State or local child welfare agency to—

(A) designate a point of contact if the corresponding child welfare agency notifies the local educational agency, in writing, that the agency has designated an employee to serve as a point of contact for the local educational agency; and

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NATIONAL ASSOCIATION FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

(B) by not later than 1 year after the date of enactment of the Every Student Succeeds Act, develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care, which procedures shall—

(i) ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with section 475(4)(A) of the Social Security Act (42 U.S.C. 675(4)(A)); and

(ii) ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the local educational agency will provide transportation to the school of origin if—

(I) the local child welfare agency agrees to reimburse the local educational agency for the cost of such transportation;

(II) the local educational agency agrees to pay for the cost of such transportation;
or

(III) the local educational agency and the local child welfare agency agree to share the cost of such transportation....