

Sec.

PART B—FLEXIBILITY IN THE USE OF ADMINISTRATIVE
AND OTHER FUNDS

8821 to 8826. Repealed.

PART C—COORDINATION OF PROGRAMS; CONSOLIDATED
STATE AND LOCAL PLANS AND APPLICATIONS

8851 to 8857. Repealed.

PART D—WAIVERS

8881. Repealed.

PART E—UNIFORM PROVISIONS

8891 to 8904. Repealed.

PART F—GUN POSSESSION

8921 to 8923. Repealed.

PART G—EVALUATIONS

8941. Repealed.

PART H—SENSE OF CONGRESS

8961, 8962. Repealed.

CODIFICATION

The Elementary and Secondary Education Act of 1965, comprising this chapter, was originally enacted as Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, and amended by Pub. L. 89-750, Nov. 3, 1966, 80 Stat. 1191; Pub. L. 90-247, Jan. 2, 1968, 81 Stat. 783; Pub. L. 90-576, title III, §307, Oct. 16, 1968, 82 Stat. 1097; Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 121; Pub. L. 92-318, June 23, 1972, 86 Stat. 235; Pub. L. 93-380, Aug. 21, 1974, 88 Stat. 484; Pub. L. 94-193, §1(c), Dec. 31, 1975, 89 Stat. 1102; Pub. L. 94-273, §§2(12), 3(8), 49(a)-(c), Apr. 21, 1976, 90 Stat. 375, 376, 382; Pub. L. 94-482, Oct. 12, 1976, 90 Stat. 2081; Pub. L. 95-112, Aug. 24, 1977, 91 Stat. 911, and was classified to sections 241a et seq., 242 et seq., 331 et seq., 821 et seq., and 1801 et seq. of this title. The Act was subsequently extensively revised and restated by Pub. L. 95-561, Nov. 1, 1978, 92 Stat. 2143, and amended by Pub. L. 96-46, Aug. 6, 1979, 93 Stat. 338; Pub. L. 96-88, Oct. 17, 1979, 93 Stat. 668; Pub. L. 96-374, Oct. 3, 1980, 94 Stat. 1367; Pub. L. 96-470, Oct. 19, 1980, 94 Stat. 2237; Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 357; Pub. L. 98-211, Dec. 8, 1983, 97 Stat. 1412; Pub. L. 98-511, Oct. 19, 1984, 98 Stat. 2366; Pub. L. 98-524, Oct. 19, 1984, 98 Stat. 2435; Pub. L. 99-159, Nov. 22, 1985, 99 Stat. 887, and was classified to section 2701 et seq. of this title. The Act was subsequently extensively revised and restated by Pub. L. 100-297, Apr. 28, 1988, 102 Stat. 130, and amended by Pub. L. 100-569, Oct. 31, 1988, 102 Stat. 2862; Pub. L. 100-570, Oct. 31, 1988, 102 Stat. 2865; Pub. L. 100-690, Nov. 18, 1988, 102 Stat. 4181; Pub. L. 101-226, Dec. 12, 1989, 103 Stat. 1928; Pub. L. 101-250, Mar. 6, 1990, 104 Stat. 96; Pub. L. 101-476, Oct. 30, 1990, 104 Stat. 1103; Pub. L. 101-589, Nov. 16, 1990, 104 Stat. 2881; Pub. L. 101-600, Nov. 16, 1990, 104 Stat. 3042; Pub. L. 101-647, Nov. 29, 1990, 104 Stat. 4789; Pub. L. 102-62, June 27, 1991, 105 Stat. 305; Pub. L. 102-73, July 25, 1991, 105 Stat. 333; Pub. L. 102-103, Aug. 17, 1991, 105 Stat. 497; Pub. L. 102-325, July 23, 1992, 106 Stat. 448; Pub. L. 102-359, Aug. 26, 1992, 106 Stat. 962; Pub. L. 102-545, Oct. 27, 1992, 106 Stat. 3586; Pub. L. 103-227, Mar. 31, 1994, 108 Stat. 125; Pub. L. 103-252, May 18, 1994, 108 Stat. 623, and was classified to section 2701 et seq. of this title. The Act was subsequently extensively revised and restated by Pub. L. 103-382, Oct. 20, 1994, 108 Stat. 3518, and amended by Pub. L. 104-5, Mar. 23, 1995, 109 Stat. 72; Pub. L. 104-106, Feb. 10, 1996, 110 Stat. 186; Pub. L. 104-134, Apr. 26, 1996, 110 Stat. 1321; Pub. L. 104-140, May 2, 1996, 110 Stat. 1327; Pub. L. 104-193, Aug. 22, 1996, 110 Stat. 2105; Pub. L. 104-195, Sept. 16, 1996, 110 Stat. 2379; Pub. L. 104-201, Sept. 23, 1996, 110 Stat. 2422; Pub. L. 104-208, Sept. 30, 1996, 110 Stat. 3009; Pub. L. 105-18, June 12, 1997, 111 Stat. 158; Pub. L. 105-78, Nov. 13, 1997, 111 Stat. 1467; Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936; Pub. L. 105-244, Oct. 7, 1998, 112 Stat. 1581; Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681; Pub. L. 105-278, Oct.

22, 1998, 112 Stat. 2682; Pub. L. 105-332, Oct. 31, 1998, 112 Stat. 3076; Pub. L. 106-78, Oct. 22, 1999, 113 Stat. 1135; Pub. L. 106-113, Nov. 29, 1999, 113 Stat. 1501; Pub. L. 106-398, Oct. 30, 2000, 114 Stat. 1654; Pub. L. 106-400, Oct. 30, 2000, 114 Stat. 1675; Pub. L. 106-554, Dec. 21, 2000, 114 Stat. 2763; Pub. L. 107-20, July 24, 2001, 115 Stat. 155, and is classified to section 6301 et seq. of this title. Titles I to VII and IX of the Act are shown, herein, however, as having been added by Pub. L. 107-110 without reference to such intervening amendments because of the extensive amendments, renumbering, and reorganization of these provisions by Pub. L. 107-110.

SUBCHAPTER I—IMPROVING THE ACADEMIC
ACHIEVEMENT OF THE DIS-
ADVANTAGED

CODIFICATION

Title I of the Elementary and Secondary Education Act of 1965, comprising this subchapter, was originally enacted as part of Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, amended, and subsequently revised, restated, and amended by other public laws. Title I is shown, herein, as having been added by Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1439, without reference to earlier amendments because of the extensive revision of the title's provisions by Pub. L. 107-110. See Codification note preceding this chapter.

§ 6301. Statement of purpose

The purpose of this subchapter is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and state¹ academic assessments. This purpose can be accomplished by—

(1) ensuring that high-quality academic assessments, accountability systems, teacher preparation and training, curriculum, and instructional materials are aligned with challenging State academic standards so that students, teachers, parents, and administrators can measure progress against common expectations for student academic achievement;

(2) meeting the educational needs of low-achieving children in our Nation's highest-poverty schools, limited English proficient children, migratory children, children with disabilities, Indian children, neglected or delinquent children, and young children in need of reading assistance;

(3) closing the achievement gap between high- and low-performing children, especially the achievement gaps between minority and nonminority students, and between disadvantaged children and their more advantaged peers;

(4) holding schools, local educational agencies, and States accountable for improving the academic achievement of all students, and identifying and turning around low-performing schools that have failed to provide a high-quality education to their students, while providing alternatives to students in such schools to enable the students to receive a high-quality education;

(5) distributing and targeting resources sufficiently to make a difference to local educational agencies and schools where needs are greatest;

¹ So in original. Probably should be capitalized.

(6) improving and strengthening accountability, teaching, and learning by using State assessment systems designed to ensure that students are meeting challenging State academic achievement and content standards and increasing achievement overall, but especially for the disadvantaged;

(7) providing greater decisionmaking authority and flexibility to schools and teachers in exchange for greater responsibility for student performance;

(8) providing children an enriched and accelerated educational program, including the use of schoolwide programs or additional services that increase the amount and quality of instructional time;

(9) promoting schoolwide reform and ensuring the access of children to effective, scientifically based instructional strategies and challenging academic content;

(10) significantly elevating the quality of instruction by providing staff in participating schools with substantial opportunities for professional development;

(11) coordinating services under all parts of this subchapter with each other, with other educational services, and, to the extent feasible, with other agencies providing services to youth, children, and families; and

(12) affording parents substantial and meaningful opportunities to participate in the education of their children.

(Pub. L. 89-10, title I, §1001, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1439.)

PRIOR PROVISIONS

A prior section 6301, Pub. L. 89-10, title I, §1001, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3519, declared policy and stated purpose of this subchapter, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 1001 of Pub. L. 89-10 was classified to section 2701 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Another prior section 1001 of Pub. L. 89-10 was renumbered section 9001 and was classified to section 3381 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

EFFECTIVE DATE

Pub. L. 107-110, §5, Jan. 8, 2002, 115 Stat. 1427, provided that:

“(a) IN GENERAL.—Except as otherwise provided in this Act [see Tables for classification], this Act, and the amendments made by this Act, shall be effective upon the date of enactment of this Act [Jan. 8, 2002].

“(b) NONCOMPETITIVE PROGRAMS.—With respect to noncompetitive programs under which any funds are allotted by the Secretary of Education to recipients on the basis of a formula, this Act, and the amendments made by this Act, shall take effect on July 1, 2002.

“(c) COMPETITIVE PROGRAMS.—With respect to programs that are conducted by the Secretary on a competitive basis, this Act, and the amendments made by this Act, shall take effect with respect to appropriations for use under those programs for fiscal year 2002.

“(d) IMPACT AID.—With respect to title VIII (Impact Aid) [probably means title VIII of Pub. L. 89-10, 20 U.S.C. 7701 et seq.], this Act, and the amendments made by this Act, shall take effect with respect to appropriations for use under that title for fiscal year 2002.”

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-110, §1, Jan. 8, 2002, 115 Stat. 1425, provided that: “This title [probably means Pub. L. 107-110, see

Tables for classification] may be cited as the ‘No Child Left Behind Act of 2001’.”

SHORT TITLE OF 2000 AMENDMENTS

Pub. L. 106-554, §1(a)(4) [div. B, title XVI, §1601], Dec. 21, 2000, 114 Stat. 2763, 2763A-328, provided that: “This title [amending sections 6302, 6311, 6361 to 6368, 6369b, 6394, 6661a, 6661i, and 8801 of this title and sections 2023 and 2026 of Title 25, Indians, and enacting provisions set out as a note under section 6361 of this title] may be cited as the ‘Literacy Involves Families Together Act’.”

Pub. L. 106-554, §1(a)(4) [div. B, title XVII, §1701], Dec. 21, 2000, 114 Stat. 2763, 2763A-335, provided that: “This title [enacting part F of subchapter III of this chapter, amending section 9134 of this title and section 254 of Title 47, Telegraphs, Telephones, and Radiotelegraphs, and enacting provisions set out as notes under sections 7001 and 9134 of this title and sections 254, 609, and 902 of Title 47] may be cited as the ‘Children’s Internet Protection Act’.”

Pub. L. 106-398, §1 [[div. A], title XVIII, §1801], Oct. 30, 2000, 114 Stat. 1654, 1654A-368, provided that: “This title [amending sections 1228, 7701 to 7703, 7705, 7707, 7709 to 7713, and 7714 of this title, repealing section 7706 of this title, and enacting provisions set out as notes under sections 7701, 7703, and 7711 of this title] may be cited as the ‘Impact Aid Reauthorization Act of 2000’.”

SHORT TITLE OF 1998 AMENDMENTS

Pub. L. 105-278, §1, Oct. 22, 1998, 112 Stat. 2682, provided that: “This Act [enacting sections 8065a to 8065d of this title and amending sections 7331, 7351, 8061 to 8065, 8066, 8067, and 8801 of this title] may be cited as the ‘Charter School Expansion Act of 1998’.”

Pub. L. 105-277, div. D, title I, §121, Oct. 21, 1998, 112 Stat. 2681-756, provided that: “This subtitle [subtitle C (§§121, 122) of title I of Pub. L. 105-277, enacting section 7144 of this title] may be cited as the ‘Drug-Free Schools Quality Assurance Act’.”

SHORT TITLE OF 1994 AMENDMENTS

Section 1 of Pub. L. 103-382 provided that: “This Act [see Tables for classification] may be cited as the ‘Improving America’s Schools Act of 1994’.”

Pub. L. 103-227, title X, §1031, Mar. 31, 1994, 108 Stat. 270, provided that: “This part [part B (§§1031, 1032) of title X of Pub. L. 103-227, enacting section 3351 of this title and amending sections 3381 to 3384 and 3386 of this title] may be cited as the ‘Gun-Free Schools Act of 1994’.”

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-545, §1, Oct. 27, 1992, 106 Stat. 3586, provided that: “This Act [see Tables for classification] may be cited as the ‘Ready to Learn Act’.”

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102-103, title I, §101, Aug. 17, 1991, 105 Stat. 497, provided that: “This title [see Tables for classification] may be cited as the ‘National Dropout Prevention Act of 1991’.”

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-600, §1, Nov. 16, 1990, 104 Stat. 3042, provided that: “This Act [see Tables for classification] may be cited as the ‘School Dropout Prevention and Basic Skills Improvement Act of 1990’.”

SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101-226, §1, Dec. 12, 1989, 103 Stat. 1928, provided that: “This Act [see Tables for classification] may be cited as the ‘Drug-Free Schools and Communities Act Amendments of 1989’.”

SHORT TITLE OF 1988 AMENDMENTS

Pub. L. 100-569, title II, §201, Oct. 31, 1988, 102 Stat. 2862, provided that: “This title [see Tables for classi-

fication] may be cited as the ‘National Geography Studies Centers Act’.”

Pub. L. 100-297, §1(a), Apr. 28, 1988, 102 Stat. 130, provided that: “This Act [see Tables for classification] may be cited as the ‘Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988’.”

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-511, §1, Oct. 19, 1984, 98 Stat. 2366, provided that: “This Act [see Tables for classification] may be cited as the ‘Education Amendments of 1984’.”

Pub. L. 98-511, title IV, §401(a), Oct. 19, 1984, 98 Stat. 2389, provided that: “This title [see Tables for classification] may be cited as the ‘Women’s Educational Equity Amendments of 1984’.”

SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95-561, §1, Nov. 1, 1978, 92 Stat. 2143, provided: “That this Act [see Tables for classification] may be cited as the ‘Education Amendments of 1978’.”

SHORT TITLE OF 1977 AMENDMENT

Pub. L. 95-112, §1, Sept. 24, 1977, 91 Stat. 911, provided: “That this Act [see Tables for classification] may be cited as the ‘Education Amendments of 1977’.”

SHORT TITLE OF 1974 AMENDMENT

Pub. L. 93-380, §1, Aug. 21, 1974, 88 Stat. 484, provided: “That this Act [see Tables for classification] may be cited as the ‘Education Amendments of 1974’.”

SHORT TITLE OF 1970 AMENDMENT

Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 121 [see Tables for classification], is popularly known as the “Elementary and Secondary Education Amendments of 1970”.

SHORT TITLE OF 1968 AMENDMENT

Pub. L. 90-247, §1, Jan. 2, 1968, 81 Stat. 783, provided that: “This Act [see Tables for classification] may be cited as the ‘Elementary and Secondary Education Amendments of 1967’.”

SHORT TITLE OF 1966 AMENDMENT

Pub. L. 89-750, §1, Nov. 3, 1966, 80 Stat. 1191, provided: “That this Act [see Tables for classification] may be cited as the ‘Elementary and Secondary Education Amendments of 1966’.”

SHORT TITLE

Section 1 of Pub. L. 89-10, as added by Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3519, as amended by Pub. L. 107-110, §6(1), Jan. 8, 2002, 115 Stat. 1427, provided that: “This Act [enacting this chapter] may be cited as the ‘Elementary and Secondary Education Act of 1965’.”

Pub. L. 89-10, title X, §10971, as added by Pub. L. 106-554, §1(a)(1) [title IX, §901], Dec. 21, 2000, 114 Stat. 2763, 2763A-89, which provided that subpart 2 (§§10971-10978) of part J of title X of Pub. L. 89-10, enacting subpart 2 of part J of former subchapter X of this chapter, could be cited as the “Rural Education Achievement Program”, was repealed by Pub. L. 107-110, title X, §1011(5)(A), Jan. 8, 2002, 115 Stat. 1986.

Pub. L. 89-10, title X, §10999A, as added by Pub. L. 106-554, §1(a)(1) [title VII, §701], Dec. 21, 2000, 114 Stat. 2763, 2763A-76, which provided that part L (§§10999A-10999L) of title X of Pub. L. 89-10, enacting part L of former subchapter X of this chapter, could be cited as the “Physical Education for Progress Act”, was repealed by Pub. L. 107-110, title X, §1011(5)(A), Jan. 8, 2002, 115 Stat. 1986.

CONTINUATION OF AWARDS

Pub. L. 107-110, title II, §202, Jan. 8, 2002, 115 Stat. 1688, provided that: “Notwithstanding any other provision of this Act [see Tables for classification] or the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6301 et seq.], in the case of—

“(1) a person or entity that, prior to the date of enactment of this Act [Jan. 8, 2002], was awarded funds appropriated under the Department of Education Appropriations Act, 2001 [Pub. L. 106-554, §1(a)(1) [title III], see Tables for classification] for new teacher recruitment initiatives; or

“(2) a person or agency that, prior to the date of enactment of this Act [Jan. 8, 2002], was awarded a grant or contract under part K of title X of the Elementary and Secondary Education Act of 1965 ([formerly] 20 U.S.C. 8331 et seq.), the Secretary of Education shall continue to provide funds in accordance with the terms of such award until the date on which the award period terminates.”

Pub. L. 107-110, title V, §502, Jan. 8, 2002, 115 Stat. 1873, provided that:

“(a) IN GENERAL.—Notwithstanding any other provision of this Act [see Tables for classification] or the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), in the case of any agency or consortium that was awarded a grant under section 5111 of the Elementary and Secondary Education Act of 1965 ([formerly] 20 U.S.C. 7211) or any person or agency that was awarded a contract or grant under part B, D, or E of title X of the Elementary and Secondary Education Act of 1965 ([formerly] 20 U.S.C. 8031 et seq., 8091 et seq., 8131 et seq.), prior to the date of enactment of this Act [Jan. 8, 2002], the Secretary of Education shall continue to provide funds in accordance with the terms of such award until the date on which the award period terminates under such terms.

“(b) SPECIAL RULE.—Notwithstanding any other provision of this Act, any person or agency that was awarded or entered into a grant, contract, or cooperative agreement under part B of title V of the Elementary and Secondary Education Act of 1965 ([formerly] 20 U.S.C. 7231 et seq.), prior to the date of enactment of this Act [Jan. 8, 2002] shall continue to receive funds in accordance with the terms of such grant, contract, or agreement until the date on which the grant, contract, or agreement period terminates under such terms.”

Pub. L. 107-110, title X, §1052, Jan. 8, 2002, 115 Stat. 2083, provided that: “Notwithstanding any other provision of this Act [see Tables for classification] or the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), in the case of a person or entity that was awarded a grant, relating to preparing tomorrow’s teachers to use technology, that was made pursuant to section 3122 of the Elementary and Secondary Education Act of 1965 ([formerly] 20 U.S.C. 6832) prior to the date of enactment of this Act [Jan. 8, 2002], the Secretary of Education shall continue to provide funds in accordance with the terms of such award until the date on which the award period terminates.”

TRANSITION PROVISIONS

Pub. L. 107-110, §4, Jan. 8, 2002, 115 Stat. 1426, provided that:

“(a) MULTI-YEAR AWARDS.—Except as otherwise provided in this Act [see Tables for classification], the recipient of a multi-year award under the Elementary and Secondary Education Act of 1965 [Pub. L. 89-10, 20 U.S.C. 6301 et seq., prior to general amendment by Pub. L. 107-110], as that Act was in effect prior to the date of enactment of this Act [Jan. 8, 2002], shall continue to receive funds in accordance with the terms of that award, except that no additional funds may be awarded after September 30, 2002.

“(b) PLANNING AND TRANSITION.—Notwithstanding any other provision of law, a recipient of funds under the Elementary and Secondary Education Act of 1965, as that Act was in effect prior to the date of enactment of this Act, may use funds available to the recipient under that predecessor authority to carry out necessary and reasonable planning and transition activities in order to ensure an orderly implementation of programs authorized by this Act, and the amendments made by this Act.

“(c) ORDERLY TRANSITION.—The Secretary shall take such steps as are necessary to provide for the orderly

transition to, and implementation of, programs authorized by this Act, and by the amendments made by this Act, from programs authorized by the Elementary and Secondary Education Act of 1965, as that Act was in effect prior to the date of enactment of this Act.”

Pub. L. 103-382, §3(b), Oct. 20, 1994, 108 Stat. 3519, provided that: “Notwithstanding any other provision of law, a recipient of funds under the Elementary and Secondary Education Act of 1965 [Pub. L. 89-10, formerly chapter 47 (§2701 et seq.) of this title, prior to general amendment by Pub. L. 103-382, §101], as such Act was in effect on the day preceding the date of enactment of this Act [Oct. 20, 1994], may use funds available to such recipient under such predecessor authority to carry out necessary and reasonable planning and transition activities in order to ensure a smooth implementation of programs authorized by this Act [see Tables for classification].”

BUDGET COMPLIANCE

Pub. L. 103-382, title V, §561, Oct. 20, 1994, 108 Stat. 4058, provided that: “Any authority or requirement to make funds available under this Act [see Tables for classification] shall be effective only to the extent provided in appropriations Acts.”

Pub. L. 100-297, title VI, §6302, Apr. 28, 1988, 102 Stat. 431, provided that: “Any new spending authority (within the meaning of section 401 of the Congressional Budget Act of 1974 [2 U.S.C. 651]) which is provided under this Act [see Tables for classification] shall be effective for any fiscal year only to the extent or in such amounts as are provided in appropriation Acts.”

EX. ORD. NO. 13153. ACTIONS TO IMPROVE LOW-PERFORMING SCHOOLS

Ex. Ord. No. 13153, May 3, 2000, 65 F.R. 26475, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Elementary and Secondary Education Act of 1965 (ESEA) [20 U.S.C. 6301 et seq.], the Department of Education Appropriations Act, 2000 (as contained in Public Law 106-113) [Pub. L. 106-113, div. B, §1000(a)(4) [title III], Nov. 29, 1999, 113 Stat. 1535, 1501A-242, see Tables for classification], and in order to take actions to improve low-performing schools, it is hereby ordered as follows:

SECTION 1. Policy. Since 1993, this Administration has sought to raise standards for students and to increase accountability in public education while investing more resources in elementary and secondary schools. While much has been accomplished—there has been progress in math and reading achievement, particularly for low-achieving students and students in our highest poverty schools—much more can be done, especially for low-performing schools.

SEC. 2. Technical Assistance and Capacity Building. (a) The Secretary of Education (“Secretary”) shall work with State and local educational agencies (“LEAs”) to develop and implement a comprehensive strategy for providing technical assistance and other assistance to States and LEAs to strengthen their capacity to improve the performance of schools identified as low performing. This comprehensive strategy shall include a number of steps, such as:

(1) providing States, school districts, and schools receiving funds from the school improvement fund established by Public Law 106-113, as well as other districts and schools identified for school improvement or corrective action under Title I of the ESEA [20 U.S.C. 6301 et seq.], with access to the latest research and information on best practices, including research on instruction and educator professional development, and with the opportunity to learn from exemplary schools and exemplary State and local intervention strategies and from each other, in order to improve achievement for all students in the low-performing schools;

(2) determining effective ways of providing low-performing schools with access to resources from other

Department of Education programs, such as funds from the Comprehensive School Reform Demonstration Program, the Reading Excellence Act [Pub. L. 105-277, div. A, §101(f) [title VIII], Oct. 21, 1998, 112 Stat. 2681-337, 2681-391, see Tables for classification], the Eisenhower Professional Development Program, the Class Size Reduction Program, and the 21st Century Community Learning Centers Program, and to make effective use of these funds and Title I funds;

(3) providing States and LEAs with information on effective strategies to improve the quality of the teaching force, including strategies for recruiting and retaining highly qualified teachers in high-poverty schools, and implementing research-based professional development programs aligned with challenging standards;

(4) helping States and school districts build partnerships with technical assistance providers, including, but not limited to, federally funded laboratories and centers, foundations, businesses, community-based organizations, institutions of higher education, reform model providers, and other organizations that can help local schools improve;

(5) identifying previously low-performing schools that have made significant achievement gains, and States and school districts that have been effective in improving the achievement of all students in low-performing schools, which can serve as models and resources;

(6) providing assistance and information on how to effectively involve parents in the school-improvement process, including effectively involving and informing parents at the beginning of the school year about improvement goals for their school as well as the goals for their own children, and reporting on progress made in achieving these goals;

(7) providing States and LEAs with information on effective approaches to school accountability, including the effectiveness of such strategies as school reconstitution, peer review teams, and financial rewards and incentives;

(8) providing LEAs with information and assistance on the design and implementation of approaches to choice among public schools that create incentives for improvement throughout the local educational agency, especially in the lowest-performing schools, and that maximize the opportunity of students in low-performing schools to attend a higher-performing public school;

(9) exploring the use of well-trained tutors to raise student achievement through initiatives such as “America Reads,” “America Counts,” and other work-study opportunities to help low-performing schools;

(10) using a full range of strategies for disseminating information about effective practices, including interactive electronic communications;

(11) working with the Department of Interior, Bureau of Indian Affairs (BIA), to provide technical assistance to BIA-funded low-performing schools; and

(12) taking other steps that can help improve the quality of teaching and instruction in low-performing schools.

(b) The Secretary shall, to the extent permitted by law, take whatever steps the Secretary finds necessary and appropriate to redirect the resources and technical assistance capability of the Department of Education (“Department”) to assist States and localities in improving low-performing schools, and to ensure that the dissemination of research to help turn around low-performing schools is a priority of the Department.

SEC. 3. School Improvement Report. To monitor the progress of LEAs and schools in turning around failing schools, including those receiving grants from the School Improvement Fund, the Secretary shall prepare an annual School Improvement Report, to be published in September of each year, beginning in 2000. The report shall:

(a) describe trends in the numbers of LEAs and schools identified as needing improvement and subse-

quent changes in the academic performance of their students;

(b) identify best practices and significant research findings that can be used to help turn around low-performing LEAs and schools; and

(c) document ongoing efforts as a result of this order and other Federal efforts to assist States and local school districts in intervening in low-performing schools, including improving teacher quality. This report shall be publicly accessible.

SEC. 4. *Compliance Monitoring System.* Consistent with the implementation of the School Improvement Fund, the Secretary shall strengthen the Department's monitoring of ESEA requirements for identifying and turning around low-performing schools, as well as any new requirements established for the School Improvement Fund by Public Law 106-113. The Secretary shall give priority to provisions that have the greatest bearing on identifying and turning around low-performing schools, including sections 1116 and 1117 of the ESEA [20 U.S.C. 6316, 6317], and to developing an ongoing, focused, and systematic process for monitoring these provisions. This improved compliance monitoring shall be designed to:

(a) ensure that States and LEAs comply with ESEA requirements;

(b) assist States and LEAs in implementing effective procedures and strategies that reflect the best research available, as well as the experience of successful schools, school districts, and States as they address similar objectives and challenges; and

(c) assist States, LEAs, and schools in making the most effective use of available Federal resources.

SEC. 5. *Consultation.* The Secretary shall, where appropriate, consult with executive agencies, State and local education officials, educators, community-based groups, and others in carrying out this Executive order.

SEC. 6. *Judicial Review.* This order is intended only to improve the internal management of the executive branch and is not intended to, and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

WILLIAM J. CLINTON.

DEFINITIONS

Pub. L. 100-297, title VI, § 6301, Apr. 28, 1988, 102 Stat. 431, provided that: "Except as otherwise provided, for the purpose of this Act [see Tables for classification] the terms used in this Act have the meanings provided under section 1471 of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 [formerly 20 U.S.C. 2891]."

§ 6302. Authorization of appropriations

(a) Local educational agency grants

For the purpose of carrying out part A of this subchapter, there are authorized to be appropriated—

- (1) \$13,500,000,000 for fiscal year 2002;
- (2) \$16,000,000,000 for fiscal year 2003;
- (3) \$18,500,000,000 for fiscal year 2004;
- (4) \$20,500,000,000 for fiscal year 2005;
- (5) \$22,750,000,000 for fiscal year 2006; and
- (6) \$25,000,000,000 for fiscal year 2007.

(b) Reading First

(1) Reading First

For the purpose of carrying out subpart 1 of part B of this subchapter, there are authorized to be appropriated \$900,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

(2) Early Reading First

For the purpose of carrying out subpart 2 of part B of this subchapter, there are authorized

to be appropriated \$75,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

(3) Even Start

For the purpose of carrying out subpart 3 of part B of this subchapter, there are authorized to be appropriated \$260,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

(4) Improving literacy through school libraries

For the purpose of carrying out subpart 4 of part B of this subchapter, there are authorized to be appropriated \$250,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

(c) Education of migratory children

For the purpose of carrying out part C of this subchapter, there are authorized to be appropriated \$410,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

(d) Prevention and intervention programs for youth who are neglected, delinquent, or at risk

For the purpose of carrying out part D of this subchapter, there are authorized to be appropriated \$50,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

(e) Federal activities

(1) Sections 6491 and 6492

For the purpose of carrying out sections 6491 and 6492 of this title, there are authorized to be appropriated such sums as may be necessary for fiscal year 2002 and each of the 5 succeeding fiscal years.

(2) Section 6494

(A) In general

For the purpose of carrying out section 6494 of this title, there are authorized to be appropriated such sums as may be necessary for fiscal year 2002 and for each of the 5 succeeding fiscal years.

(B) Special rule

Of the funds appropriated pursuant to subparagraph (A), not more than 30 percent may be used for teachers associated with students participating in the programs described in subsections (a)(1), (b)(1), and (c)(1) of this section.

(f) Comprehensive school reform

For the purpose of carrying out part F of this subchapter, there are authorized to be appropriated such sums as may be necessary for fiscal year 2002 and each of the 5 succeeding fiscal years.

(g) Advanced placement

For the purposes of carrying out part G of this subchapter, there are authorized to be appropriated such sums for fiscal year 2002 and each 5 succeeding fiscal year.

(h) School dropout prevention

For the purpose of carrying out part H of this subchapter, there are authorized to be appro-