

(V) strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs; and

(B) if programs are consolidated, the specific State educational agency and local educational agency programs and other Federal programs that will be consolidated in the schoolwide program.

**(c) Preschool programs**

A school that operates a schoolwide program under this section may use funds available under this part to establish or enhance preschool programs for children who are under 6 years of age.

**(d) Delivery of services**

The services of a schoolwide program under this section may be delivered by nonprofit or for-profit external providers with expertise in using evidence-based or other effective strategies to improve student achievement.

**(e) Use of funds for dual or concurrent enrollment programs**

**(1) In general**

A secondary school operating a schoolwide program under this section may use funds received under this part to operate dual or concurrent enrollment programs that address the needs of low-achieving secondary school students and those at risk of not meeting the challenging State academic standards.

**(2) Flexibility of funds**

A secondary school using funds received under this part for a dual or concurrent enrollment program described in paragraph (1) may use such funds for any of the costs associated with such program, including the costs of—

(A) training for teachers, and joint professional development for teachers in collaboration with career and technical educators and educators from institutions of higher education, where appropriate, for the purpose of integrating rigorous academics in such program;

(B) tuition and fees, books, required instructional materials for such program, and innovative delivery methods; and

(C) transportation to and from such program.

**(3) Rule of construction**

Nothing in this subsection shall be construed to impose on any State any requirement or rule regarding dual or concurrent enrollment programs that is inconsistent with State law.

(Pub. L. 89-10, title I, §1114, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1471; amended Pub. L. 109-270, §2(f)(3), Aug. 12, 2006, 120 Stat. 747; Pub. L. 114-95, title I, §1008, Dec. 10, 2015, 129 Stat. 1862.)

REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in subsecs. (a)(3)(A) and (b)(7)(A)(iii)(III), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

PRIOR PROVISIONS

A prior section 6314, Pub. L. 89-10, title I, §1114, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3534; amended Pub. L. 105-332, §3(c)(1), Oct. 31, 1998, 112 Stat. 3125, related to schoolwide programs, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95, §1008(1), added subsec. (a) and struck out former subsec. (a) which consisted of pars. (1) to (4) relating to general use of funds for schoolwide programs, nonidentification of students, exemption from statutory and regulatory requirements, and professional development.

Subsec. (b). Pub. L. 114-95, §1008(2), added subsec. (b) and struck out former subsec. (b) which consisted of pars. (1) and (2) relating to components of a schoolwide program and development of plan.

Subsecs. (c) to (e). Pub. L. 114-95, §1008(3), added subsecs. (c) to (e) and struck out former subsec. (c). Prior to amendment, text of subsec. (c) read as follows: “A school that is eligible for a schoolwide program under this section may use funds made available under this part to establish or enhance prekindergarten programs for children below the age of 6, such as Even Start programs or Early Reading First programs.”

2006—Subsec. (b)(2)(B)(v). Pub. L. 109-270 substituted “the Carl D. Perkins Career and Technical Education Act of 2006” for “Carl D. Perkins Vocational and Technical Education Act of 1998”.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

**§ 6315. Targeted assistance schools**

**(a) In general**

In all schools selected to receive funds under section 6313(c) of this title that are ineligible for a schoolwide program under section 6314 of this title, have not received a waiver under section 6314(a)(1)(B) of this title to operate such a schoolwide program, or choose not to operate such a schoolwide program, a local educational agency serving such school may use funds received under this part only for programs that provide services to eligible children under subsection (c) identified as having the greatest need for special assistance.

**(b) Targeted assistance school program**

To assist targeted assistance schools and local educational agencies to meet their responsibility to provide for all their students served under this part the opportunity to meet the challenging State academic standards, each targeted assistance program under this section shall—

(1) determine which students will be served;

(2) serve participating students identified as eligible children under subsection (c), including by—

(A) using resources under this part to help eligible children meet the challenging State academic standards, which may include programs, activities, and academic courses necessary to provide a well-rounded education;

(B) using methods and instructional strategies to strengthen the academic program of the school through activities, which may include—

(i) expanded learning time, before- and after-school programs, and summer programs and opportunities; and

(ii) a schoolwide tiered model to prevent and address behavior problems, and early intervening services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

(C) coordinating with and supporting the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under subpart 2 of part B of subchapter II, or State-run preschool programs to elementary school programs;

(D) providing professional development with resources provided under this part, and, to the extent practicable, from other sources, to teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with eligible children in programs under this section or in the regular education program;

(E) implementing strategies to increase the involvement of parents of eligible children in accordance with section 6318 of this title; and<sup>1</sup>

(F) if appropriate and applicable, coordinating and integrating Federal, State, and local services and programs, such as programs supported under this chapter, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and comprehensive support and improvement activities or targeted support and improvement activities under section 6311(d) of this title; and

(G) provide<sup>2</sup> to the local educational agency assurances that the school will—

(i) help provide an accelerated, high-quality curriculum;

(ii) minimize the removal of children from the regular classroom during regular school hours for instruction provided under this part; and

(iii) on an ongoing basis, review the progress of eligible children and revise the targeted assistance program under this section, if necessary, to provide additional assistance to enable such children to meet the challenging State academic standards.

### **(c) Eligible children**

#### **(1) Eligible population**

##### **(A) In general**

The eligible population for services under this section is—

(i) children not older than age 21 who are entitled to a free public education through grade 12; and

(ii) children who are not yet at a grade level at which the local educational agency provides a free public education.

#### **(B) Eligible children from eligible population**

From the population described in subparagraph (A), eligible children are children identified by the school as failing, or most at risk of failing, to meet the challenging State academic standards on the basis of multiple, educationally related, objective criteria established by the local educational agency and supplemented by the school, except that children from preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the local educational agency and supplemented by the school.

### **(2) Children included**

#### **(A) In general**

Children who are economically disadvantaged, children with disabilities, migrant children or English learners, are eligible for services under this part on the same basis as other children selected to receive services under this part.

#### **(B) Head Start and preschool children**

A child who, at any time in the 2 years preceding the year for which the determination is made, participated in a Head Start program, the literacy program under subpart 2 of part B of subchapter II, or in preschool services under this subchapter, is eligible for services under this part.

#### **(C) Migrant children**

A child who, at any time in the 2 years preceding the year for which the determination is made, received services under part C is eligible for services under this part.

#### **(D) Neglected or delinquent children**

A child in a local institution for neglected or delinquent children and youth or attending a community day program for such children is eligible for services under this part.

#### **(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.

### **(3) Special rule**

Funds received under this part may not be used to provide services that are otherwise required by law to be made available to children described in paragraph (2) but may be used to coordinate or supplement such services.

### **(d) Integration of professional development**

To promote the integration of staff supported with funds under this part into the regular school program and overall school planning and improvement efforts, public school personnel who are paid with funds received under this part may—

(1) participate in general professional development and school planning activities; and

(2) assume limited duties that are assigned to similar personnel who are not so paid, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

<sup>1</sup> So in original. The word “and” probably should not appear.

<sup>2</sup> So in original. Probably should be “providing”.

**(e) Special rules****(1) Simultaneous service**

Nothing in this section shall be construed to prohibit a school from serving students under this section simultaneously with students with similar educational needs, in the same educational settings where appropriate.

**(2) Comprehensive services**

If—

(A) health, nutrition, and other social services are not otherwise available to eligible children in a targeted assistance school and such school, if appropriate, has engaged in a comprehensive needs assessment and established a collaborative partnership with local service providers; and

(B) funds are not reasonably available from other public or private sources to provide such services, then a portion of the funds provided under this part may be used as a last resort to provide such services, including—

- (i) the provision of basic medical equipment, such as eyeglasses and hearing aids;
- (ii) compensation of a coordinator;
- (iii) family support and engagement services;
- (iv) integrated student supports; and
- (v) professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of eligible children.

**(f) Use of funds for dual or concurrent enrollment programs**

A secondary school operating a targeted assistance program under this section may use funds received under this part to provide dual or concurrent enrollment program services described under section 6314(e) of this title to eligible children under subsection (c)(1)(B) who are identified as having the greatest need for special assistance.

**(g) Prohibition**

Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to require a local educational agency or school to submit the results of a comprehensive needs assessment or plan under section 6314(b) of this title, or a program described in subsection (b), for review or approval by the Secretary.

**(h) Delivery of services**

The services of a targeted assistance program under this section may be delivered by nonprofit or for-profit external providers with expertise in using evidence-based or other effective strategies to improve student achievement.

(Pub. L. 89-10, title I, § 1115, as added Pub. L. 107-110, title I, § 101, Jan. 8, 2002, 115 Stat. 1475; amended Pub. L. 114-95, title I, § 1009, Dec. 10, 2015, 129 Stat. 1865.)

## REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in subsec. (b)(2)(B)(ii), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, which is classified generally to chapter 33 (§1400 et seq.) of this title. For

complete classification of this Act to the Code, see section 1400 of this title and Tables.

## PRIOR PROVISIONS

A prior section 6315, Pub. L. 89-10, title I, § 1115, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3539, related to targeted assistance schools, prior to the general amendment of this subchapter by Pub. L. 107-110.

## AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95, § 1009(1), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “In all schools selected to receive funds under section 6313(c) of this title that are ineligible for a schoolwide program under section 6314 of this title, or that choose not to operate such a schoolwide program, a local educational agency serving such school may use funds received under this part only for programs that provide services to eligible children under subsection (b) of this section identified as having the greatest need for special assistance.”

Subsec. (b). Pub. L. 114-95, § 1009(3), added subsec. (b) and struck out former subsec. (b). Prior to amendment, subsec. (b) consisted of pars. (1) and (2) relating to general components of a targeted assistance school program and coordination of resources and review and revision of program.

Pub. L. 114-95, § 1009(2), redesignated subsec. (c) as (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 114-95, § 1009(2), redesignated subsec. (b) as (c). Former subsec. (c) redesignated (b).

Subsec. (c)(1)(B). Pub. L. 114-95, § 1009(4)(A), substituted “the challenging State academic standards” for “the State’s challenging student academic achievement standards” and “criteria, including objective criteria, established by the local educational agency and supplemented by the school” for “such criteria as teacher judgment, interviews with parents, and developmentally appropriate measures”.

Subsec. (c)(2)(A). Pub. L. 114-95, § 1009(4)(B)(i), substituted “English learners” for “limited English proficient children”.

Subsec. (c)(2)(B). Pub. L. 114-95, § 1009(4)(B)(ii), in heading, substituted “Head Start and preschool children” for “Head Start, Even Start, or Early Reading First children” and, in text, substituted “Head Start program, the literacy program under subpart 2 of part B of subchapter II,” for “Head Start, Even Start, or Early Reading First program.”

Subsec. (c)(2)(C). Pub. L. 114-95, § 1009(4)(B)(iii), substituted “Migrant children” for “Part C children” in heading.

Subsec. (e)(2)(B)(iii) to (v). Pub. L. 114-95, § 1009(5)(A), added cls. (iii) and (iv), redesignated former cl. (iii) as (v), and, in cl. (v), substituted “specialized instructional support” for “pupil services”.

Subsec. (e)(3). Pub. L. 114-95, § 1009(5)(B), struck out par. (3). Text read as follows: “Each school receiving funds under this part for any fiscal year shall devote sufficient resources to carry out effectively the professional development activities described in subparagraph (F) of subsection (c)(1) of this section in accordance with section 6319 of this title for such fiscal year, and a school may enter into a consortium with another school to carry out such activities.”

Subsecs. (f) to (h). Pub. L. 114-95, § 1009(6), added subsecs. (f) to (h).

## EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

**§§ 6316, 6317. Repealed. Pub. L. 114-95, title I, § 1000(1), Dec. 10, 2015, 129 Stat. 1814**

Section 6316, Pub. L. 89-10, title I, § 1116, as added Pub. L. 107-110, title I, § 101, Jan. 8, 2002, 115 Stat. 1478,