

(1) the criteria that States use to determine—

(A) eligibility for alternate assessments; and

(B) the number and type of children who take those assessments and are held accountable to alternative achievement standards;

(2) the validity and reliability of alternate assessment instruments and procedures;

(3) the alignment of alternate assessments and alternative achievement standards to State academic content standards in reading, mathematics, and science; and

(4) the use and effectiveness of alternate assessments in appropriately measuring student progress and outcomes specific to individualized instructional need.

(d) Annual report

The Secretary shall provide an annual report to Congress that—

(1) summarizes the research conducted under part E of the Education Sciences Reform Act of 2002 [20 U.S.C. 9567 et seq.];

(2) analyzes and summarizes the data reported by the States and the Secretary of the Interior under section 1418 of this title;

(3) summarizes the studies and evaluations conducted under this section and the timeline for their completion;

(4) describes the extent and progress of the assessment of national activities; and

(5) describes the findings and determinations resulting from reviews of State implementation of this chapter.

(e) Authorized activities

In carrying out this section, the Secretary may support objective studies, evaluations, and assessments, including studies that—

(1) analyze measurable impact, outcomes, and results achieved by State educational agencies and local educational agencies through their activities to reform policies, procedures, and practices designed to improve educational and transitional services and results for children with disabilities;

(2) analyze State and local needs for professional development, parent training, and other appropriate activities that can reduce the need for disciplinary actions involving children with disabilities;

(3) assess educational and transitional services and results for children with disabilities from minority backgrounds, including—

(A) data on—

(i) the number of minority children who are referred for special education evaluation;

(ii) the number of minority children who are receiving special education and related services and their educational or other service placement;

(iii) the number of minority children who graduated from secondary programs with a regular diploma in the standard number of years; and

(iv) the number of minority children who drop out of the educational system; and

(B) the performance of children with disabilities from minority backgrounds on

State assessments and other performance indicators established for all students;

(4) measure educational and transitional services and results for children with disabilities served under this chapter, including longitudinal studies that—

(A) examine educational and transitional services and results for children with disabilities who are 3 through 17 years of age and are receiving special education and related services under this chapter, using a national, representative sample of distinct age cohorts and disability categories; and

(B) examine educational results, transition services, postsecondary placement, and employment status for individuals with disabilities, 18 through 21 years of age, who are receiving or have received special education and related services under this chapter; and

(5) identify and report on the placement of children with disabilities by disability category.

(f) Study

The Secretary shall study, and report to Congress regarding, the extent to which States adopt policies described in section 1435(c)(1) of this title and on the effects of those policies.

(Pub. L. 91-230, title VI, §664, as added Pub. L. 108-446, title I, §101, Dec. 3, 2004, 118 Stat. 2783.)

REFERENCES IN TEXT

The Education Sciences Reform Act of 2002, referred to in subsec. (d)(1), is title I of Pub. L. 107-279, Nov. 5, 2002, 116 Stat. 1941, as amended. Part E of the Act is classified generally to part E (§9567 et seq.) of subchapter I of chapter 76 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 9501 of this title and Tables.

§ 1465. Interim alternative educational settings, behavioral supports, and systemic school interventions

(a) Program authorized

The Secretary may award grants, and enter into contracts and cooperative agreements, to support safe learning environments that support academic achievement for all students by—

(1) improving the quality of interim alternative educational settings; and

(2) providing increased behavioral supports and research-based, systemic interventions in schools.

(b) Authorized activities

In carrying out this section, the Secretary may support activities to—

(1) establish, expand, or increase the scope of behavioral supports and systemic interventions by providing for effective, research-based practices, including—

(A) training for school staff on early identification, prereferral, and referral procedures;

(B) training for administrators, teachers, related services personnel, behavioral specialists, and other school staff in positive behavioral interventions and supports, behavioral intervention planning, and classroom and student management techniques;

(C) joint training for administrators, parents, teachers, related services personnel, behavioral specialists, and other school staff on effective strategies for positive behavioral interventions and behavior management strategies that focus on the prevention of behavior problems;

(D) developing or implementing specific curricula, programs, or interventions aimed at addressing behavioral problems;

(E) stronger linkages between school-based services and community-based resources, such as community mental health and primary care providers; or

(F) using behavioral specialists, related services personnel, and other staff necessary to implement behavioral supports; or

(2) improve interim alternative educational settings by—

(A) improving the training of administrators, teachers, related services personnel, behavioral specialists, and other school staff (including ongoing mentoring of new teachers) in behavioral supports and interventions;

(B) attracting and retaining a high quality, diverse staff;

(C) providing for referral to counseling services;

(D) utilizing research-based interventions, curriculum, and practices;

(E) allowing students to use instructional technology that provides individualized instruction;

(F) ensuring that the services are fully consistent with the goals of the individual student's IEP;

(G) promoting effective case management and collaboration among parents, teachers, physicians, related services personnel, behavioral specialists, principals, administrators, and other school staff;

(H) promoting interagency coordination and coordinated service delivery among schools, juvenile courts, child welfare agencies, community mental health providers, primary care providers, public recreation agencies, and community-based organizations; or

(I) providing for behavioral specialists to help students transitioning from interim alternative educational settings reintegrate into their regular classrooms.

(c) Definition of eligible entity

In this section, the term “eligible entity” means—

(1) a local educational agency; or

(2) a consortium consisting of a local educational agency and 1 or more of the following entities:

(A) Another local educational agency.

(B) A community-based organization with a demonstrated record of effectiveness in helping children with disabilities who have behavioral challenges succeed.

(C) An institution of higher education.

(D) A community mental health provider.

(E) An educational service agency.

(d) Applications

Any eligible entity that wishes to receive a grant, or enter into a contract or cooperative agreement, under this section shall—

(1) submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require; and

(2) involve parents of participating students in the design and implementation of the activities funded under this section.

(e) Report and evaluation

Each eligible entity receiving a grant under this section shall prepare and submit annually to the Secretary a report on the outcomes of the activities assisted under the grant.

(Pub. L. 91-230, title VI, §665, as added Pub. L. 108-446, title I, §101, Dec. 3, 2004, 118 Stat. 2786.)

§ 1466. Authorization of appropriations

(a) In general

There are authorized to be appropriated to carry out this part (other than section 1462 of this title) such sums as may be necessary for each of the fiscal years 2005 through 2010.

(b) Reservation

From amounts appropriated under subsection (a) for fiscal year 2005, the Secretary shall reserve \$1,000,000 to carry out the study authorized in section 1464(c) of this title. From amounts appropriated under subsection (a) for a succeeding fiscal year, the Secretary may reserve an additional amount to carry out such study if the Secretary determines the additional amount is necessary.

(Pub. L. 91-230, title VI, §667, as added Pub. L. 108-446, title I, §101, Dec. 3, 2004, 118 Stat. 2787.)

PART C—SUPPORTS TO IMPROVE RESULTS FOR CHILDREN WITH DISABILITIES

§ 1470. Purposes

The purposes of this part are to ensure that—

(1) children with disabilities and their parents receive training and information designed to assist the children in meeting developmental and functional goals and challenging academic achievement goals, and in preparing to lead productive independent adult lives;

(2) children with disabilities and their parents receive training and information on their rights, responsibilities, and protections under this chapter, in order to develop the skills necessary to cooperatively and effectively participate in planning and decision making relating to early intervention, educational, and transitional services;

(3) parents, teachers, administrators, early intervention personnel, related services personnel, and transition personnel receive coordinated and accessible technical assistance and information to assist such personnel in improving early intervention, educational, and transitional services and results for children with disabilities and their families; and

(4) appropriate technology and media are researched, developed, and demonstrated, to improve and implement early intervention, educational, and transitional services and results for children with disabilities and their families.

(Pub. L. 91-230, title VI, §670, as added Pub. L. 108-446, title I, §101, Dec. 3, 2004, 118 Stat. 2788.)