



FY 2024 Comprehensive Literacy State Development (CLSD) Subgrant Application Process Statutory Requirements and Checklist

Overview

The below requirements are established in Sections 2221–2225 and 2301 of [the Elementary and Secondary Education Act of 1965, as amended \(ESEA\)](#). Under “State Activities” ([Section 2222\(f\)\(1\)](#) of the ESEA), CLSD grantees are required to subgrant no less than 95 percent of their total award over the life of the grant. This checklist is designed to assist CLSD grantees as they prepare their competitive subgrant application process and related documents ensuring that all required information is included.

This tool is organized into four parts:

1. The [Statutory Provisions](#) section describes the CLSD requirements that must be considered prior to finalizing the subgrant application process and related documents.
2. The [Checklist](#) includes the statutory requirements that should be included in the subgrant application process and related documents. It is organized according to the age/grade bands:
 - a. Children from birth through kindergarten entry
 - b. Kindergarten through fifth grade
 - c. Sixth grade through twelfth grade

Each item on the checklist highlights the key component from the statutory language. It also links to the legislation, as well as any relevant definitions.

3. The [Legislation](#) section includes the statutory language from the ESEA.
4. The [Definitions](#) section includes the applicable terms, as defined in the ESEA.

Statutory Provisions

Competitive Process

Sections [2223\(a\)\(1\)](#) and [2224\(a\)\(1\)](#) of the ESEA require that SEAs award subgrants through a competitive process.

Supplement, Not Supplant

CLSD grantees must adhere to the “supplement, not supplant” provision under [Section 2301](#) of the ESEA, which states that “funds made available under this title shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for the activities authorized under this title.”



Allocation of Subgrant Funds

[Section 2222\(d\)\(2\)\(D\)](#) requires CLSD grantees to allocate subgrant funds in the following manner:

1. Not less than **15 percent** of such grant funds shall be used for State and local programs and activities pertaining to children from birth through kindergarten entry.
2. Not less than **40 percent** of such grant funds shall be used for State and local programs and activities, allocated equitably among the grades of kindergarten through grade 5.
3. Not less than **40 percent** of such grant funds shall be used for State and local programs and activities, allocated equitably among grades 6 through 12.

Eligibility

In awarding subgrants, CLSD grantees must ensure that funds are awarded to eligible entities.

[Section 2221\(b\)\(2\)](#) of the ESEA defines eligible entity for the CLSD program as an entity that consists of—

(A) one or more local educational agencies that serve a high percentage of high-need schools and—

- (i) have the highest number or proportion of children who are counted under [section 1124\(c\)](#) of the ESEA, in comparison to other local educational agencies in the State;
- (ii) are among the local educational agencies in the State with the highest number or percentages of children reading or writing below grade level, based on the most currently available State academic assessment data under [section 1111\(b\)\(2\)](#) of the ESEA; or
- (iii) serve a significant number or percentage of schools that are implementing comprehensive support and improvement activities and targeted support and improvement activities under [section 1111\(d\)](#) of the ESEA;

(B) one or more early childhood education programs serving low-income or otherwise disadvantaged children, which may include home-based literacy programs for preschool-aged children, that have a demonstrated record of providing [comprehensive literacy instruction](#) for the age group such program proposes to serve; or

(C) a local educational agency, described in subparagraph (A), or consortium of such local educational agencies, or an early childhood education program, which may include home-based literacy programs for preschool-aged children, acting in partnership with 1 or more public or private nonprofit organizations or agencies (which may include early childhood education programs) that have a demonstrated record of effectiveness in—



(i) improving literacy achievement of children, consistent with the purposes of participation under this subpart, from birth through grade 12; and

(ii) providing [professional development](#) in [comprehensive literacy instruction](#).

Required Priorities

In awarding subgrants for **birth through kindergarten entry**, CLSD grantees are required to [give priority](#) to an [eligible entity](#) that serves children from birth through age 5 who are from families with income levels at or below 200 percent of the Federal poverty line **or** is a local educational agency serving a high number or percentage of high-need schools, and [give priority](#) to an [eligible entity](#) that will use the grant funds to implement [evidence-based](#) activities.

In awarding subgrants for **kindergarten through grade 12**, CLSD grantees are required to [give priority](#) to an [eligible entity](#) serving students in [grades k-5](#) **or** [grades 6-12](#) that will use the grant funds to implement [evidence-based](#) activities.

Consultation with State agencies responsible for early childhood education

In addition to the priorities above, CLSD grantees [must consult](#) with the State agencies responsible for administering early childhood education programs and services in awarding subgrants to support high-quality early literacy initiatives for children from birth through kindergarten entry.

Checklist

Birth Through Kindergarten Entry

Question	ESEA Citation	Complete? (Y/N)
Does the subgrant application process require applicants to describe how subgrant funds will be used “ to enhance the language and literacy development and school readiness of children , from birth through kindergarten entry,” in early childhood programs?	Section 2223(b)(1)	
Does the subgrant application process require applicants to include an analysis of data that supports the proposed use of subgrant funds?	Section 2223(b)(1)	
Does the subgrant application process require applicants to describe how subgrant funds will be used to “ prepare and provide ongoing assistance to staff in the programs , including through high-quality professional development ?”	Section 2223(b)(2)	
Does the subgrant application process require applicants to describe how the subgrant activities for children from birth to kindergarten entry will be “ coordinated with comprehensive literacy instruction ” at the K-12 levels?	Section 2223(b)(3)	



Question	ESEA Citation	Complete? (Y/N)
Does the subgrant application process require applicants to describe how subgrant funds will be used to “ evaluate the success of the activities ” in “enhancing the early language and literacy development of children from birth to kindergarten entry?”	Section 2223(b)(4)	
Required use of funds: Does the subgrant application process require that applicants describe how funds will be used to “carry out high-quality professional development opportunities for early childhood educators, teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and instructional leaders?”	Section 2223(d)(1)	
Required use of funds: Does the subgrant application process require that applicants describe how funds will be used to “ train providers and personnel to develop and administer evidence-based early childhood literacy initiatives ?”	Section 2223(d)(2)	
Required use of funds: Does the subgrant application process require that applicants describe how funds will be used to “ coordinate the involvement of families, early childhood education program staff, principals, other school leaders, specialized instructional support personnel, and teachers in the literacy development of children served under the subgrant.	Section 2223(d)(3)	

Kindergarten Through Grade 5

Question	ESEA Citation	Complete? (Y/N)
Does the subgrant application process require that applicants describe a needs assessment that will “identify how subgrant funds will be used to inform and improve comprehensive literacy instruction ?”	Section 2224(a)(4)(A)	
Does the subgrant application process require that applicants describe how “ongoing high-quality professional development ” will be provided to “all teachers, principals, other school leaders, specialized instructional support personnel (as appropriate), and other instructional leaders served by the school?”	Section 2224(a)(4)(B)	
Does the subgrant application process require that applicants describe how schools will “ identify children in need of literacy interventions or other support services?”	Section 2224(a)(4)(C)	



Question	ESEA Citation	Complete? (Y/N)
Does the subgrant application process require that applicants describe how comprehensive literacy instruction will be integrated into “a well-rounded education ?”	Section 2224(a)(4)(D)	
Does the subgrant application process require that applicants describe how comprehensive literacy instruction will be “coordinated with early childhood education programs and activities and after-school programs and activities?”	Section 2224(a)(4)(E)	
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds to develop and implement a K-5 comprehensive literacy instruction plan across content areas that “serves the needs of all children, including children with disabilities and English learners , especially children who are reading or writing below grade level?”	Section 2224(c)(1)	
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds to develop and implement a K-5 comprehensive literacy instruction plan across content areas that “provides intensive, supplemental, accelerated, and explicit intervention and support in reading and writing for children whose literacy skills are below grade level?”	Section 2224(c)(1)	
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds to develop and implement a K-5 comprehensive literacy instruction plan across content areas that “supports activities that are provided primarily during the regular school day ?”	Section 2224(c)(1)	
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds to carry out “ high-quality professional development opportunities for teachers, literacy coaches, literacy specialists, English as a second language specialists (as appropriate), principals, other school leaders, specialized instructional support personnel, school librarians, paraprofessionals, and other program staff?”	Section 2224(c)(2)	



Question	ESEA Citation	Complete? (Y/N)
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds to carry out training for “principals, specialized instructional support personnel, and other local educational agency personnel to support, develop, administer, and evaluate” high-quality K-5 literacy initiatives?	Section 2224(c)(3)	
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds for “ coordinating the involvement of early childhood education program staff, principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), special educators, school personnel, and specialized instructional support personnel (as appropriate)” to support K-5 students’ literacy development?	Section 2224(c)(4)	
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds toward “ engaging families and encouraging family literacy experiences and practices to support literacy development” for K-5 students?	Section 2224(c)(5)	

Grade 6 Through Grade 12

Question	ESEA Citation	Complete? (Y/N)
Does the subgrant application process require that applicants describe a needs assessment that will “identify how subgrant funds will be used to inform and improve comprehensive literacy instruction ?”	Section 2224(a)(4)(A)	
Does the subgrant application process require that applicants describe how “ongoing high-quality professional development ” will be provided to “all teachers, principals, other school leaders, specialized instructional support personnel (as appropriate), and other instructional leaders served by the school?”	Section 2224(a)(4)(B)	
Does the subgrant application process require that applicants describe how schools will “ identify children in need of literacy interventions or other support services?”	Section 2224(a)(4)(C)	
Does the subgrant application process require that applicants describe how comprehensive literacy instruction will be integrated into “a well-rounded education” ?	Section 2224(a)(4)(D)	



Question	ESEA Citation	Complete? (Y/N)
Does the subgrant application process require that applicants describe how comprehensive literacy instruction will be “ coordinated with early childhood education programs and activities and after-school programs and activities? ”	Section 2224(a)(4)(E)	
Does the subgrant application process require that applicants describe how they will use funds to develop and implement a grade 6-12 comprehensive literacy instruction plan across content areas that “ serves the needs of all children , including children with disabilities and English learners , especially children who are reading or writing below grade level?”	Section 2224(d)(1)	
Does the subgrant application process require that applicants describe how they will use funds to develop and implement a grade 6-12 comprehensive literacy instruction plan across content areas that “provides intensive, supplemental, accelerated, and explicit intervention and support in reading and writing for children whose literacy skills are below grade level?”	Section 2224(d)(1)	
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds to develop and implement a grade 6-12 comprehensive literacy instruction plan across content areas that “supports activities that are provided primarily during the regular school day? ”	Section 2224(d)(1)	
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds for “ training principals, specialized instructional support personnel, school librarians, and other local educational agency personnel to support, develop, administer, and evaluate high-quality comprehensive literacy instruction initiatives” for grade 6-12?	Section 2224(d)(2)	
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds for “ assessing the quality of adolescent comprehensive literacy instruction to be delivered as part of a well-rounded education? ”	Section 2224(d)(3)	



Question	ESEA Citation	Complete? (Y/N)
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds to provide “time for teachers to meet to plan evidence-based adolescent comprehensive literacy instruction to be delivered as part of a well-rounded education ?”	Section 2224(d)(4)	
Required Use of Funds: Does the subgrant application process require that applicants describe how they will use funds for “ coordinating the involvement of principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), paraprofessionals, special educators, specialized instructional support personnel (as appropriate), and school personnel in the literacy development of children” from grade 6-12?	Section 2224(d)(5)	

Legislation

Section 1111. STATE PLANS.

(b) CHALLENGING ACADEMIC STANDARDS AND ACADEMIC ASSESSMENTS.

(2) ACADEMIC ASSESSMENTS.—

(A) IN GENERAL.—Each State plan shall demonstrate that the State educational agency, in consultation with local educational agencies, has implemented a set of high- quality student academic assessments in mathematics, reading or language arts, and science. The State retains the right to implement such assessments in any other subject chosen by the State.

(B) REQUIREMENTS.—The assessments under subparagraph (A) shall—

(i) except as provided in subparagraph (D), be— (I) the same academic assessments used to measure the achievement of all public elementary school and secondary school students in the State; and (II) administered to all public elementary school and secondary school students in the State;

(ii) be aligned with the challenging State academic standards, and provide coherent and timely information about student attainment of such standards and whether the student is performing at the student’s grade level;



(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized professional and technical testing standards, objectively measure academic achievement, knowledge, and skills, and be tests that do not evaluate or assess personal or family beliefs and attitudes, or publicly disclose personally identifiable information;

(iv) be of adequate technical quality for each purpose required under this Act and consistent with the requirements of this section, the evidence of which shall be made public, including on the website of the State educational agency;

(v)(I) in the case of mathematics and reading or language arts, be administered—
(aa) in each of grades 3 through 8; and (bb) at least once in grades 9 through 12;
(II) in the case of science, be administered not less than one time during—(aa) grades 3 through 5; (bb) grades 6 through 9; and (cc) grades 10 through 12; and
(III) in the case of any other subject chosen by the State, be administered at the discretion of the State;

(vi) involve multiple up-to-date measures of student academic achievement, including measures that assess higher-order thinking skills and understanding, which may include measures of student academic growth and may be partially delivered in the form of portfolios, projects, or extended performance tasks;

(vii) provide for— (I) the participation in such assessments of all students; (II) the appropriate accommodations, such as interoperability with, and ability to use, assistive technology, for [children with disabilities](#) (as defined in section 602(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(3))), including students with the most significant cognitive disabilities, and students with a disability who are provided accommodations under an Act other than the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), necessary to measure the academic achievement of such children relative to the challenging State academic standards or alternate academic achievement standards described in paragraph (1)(E); and (III) the inclusion of [English learners](#), who shall be assessed in a valid and reliable manner and provided appropriate accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency, as determined under sub paragraph (G);

(viii) at the State's discretion— (I) be administered through a single summative assessment; or (II) be administered through multiple statewide interim assessments during the course of the academic year that result in a single



summative score that provides valid, reliable, and transparent information on student achievement or growth;

(ix) notwithstanding clause (vii)(III), provide for assessments (using tests in English) of reading or language arts of any student who has attended school in the United States (not including the Commonwealth of Puerto Rico) for 3 or more consecutive school years, except that if the local educational agency determines, on a case-by-case individual basis, that academic assessments in another language or form would likely yield more accurate and reliable information on what such student knows and can do, the local educational agency may make a determination to assess such student in the appropriate language other than English for a period that does not exceed 2 additional consecutive years, provided that such student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what such student knows and can do on tests (written in English) of reading or language arts;

(x) produce individual student interpretive, descriptive, and diagnostic reports, consistent with clause (iii), regarding achievement on such assessments that allow parents, teachers, principals, and other school leaders to understand and address the specific academic needs of students, and that are provided to parents, teachers, and school leaders, as soon as is practicable after the assessment is given, in an understandable and uniform format, and to the extent practicable, in a language that parents can understand;

(xi) enable results to be disaggregated within each State, local educational agency, and school by— (I) each major racial and ethnic group; (II) economically disadvantaged students as compared to students who are not economically disadvantaged; (III) [children with disabilities](#) as compared to children without disabilities; (IV) English proficiency status; (V) gender; and (VI) migrant status, except that such disaggregation shall not be required in the case of a State, local educational agency, or a school in which the number of students in a subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student;

(xii) enable itemized score analyses to be produced and reported, consistent with clause (iii), to local educational agencies and schools, so that parents, teachers, principals, other school leaders, and administrators can interpret and address the specific academic needs of students as indicated by the students' achievement on assessment items; and

(xiii) be developed, to the extent practicable, using the principles of universal design for learning.



(C) EXCEPTION FOR ADVANCED MATHEMATICS IN MIDDLE SCHOOL.—A State may exempt any 8th grade student from the assessment in mathematics described in subparagraph (B)(v)(I)(aa) if—

- (i) such student takes the end-of-course assessment the State typically administers to meet the requirements of subparagraph (B)(v)(I)(bb) in mathematics;
- (ii) such student’s achievement on such end-of- course assessment is used for purposes of subsection (c)(4)(B)(i), in lieu of such student’s achievement on the mathematics assessment required under subparagraph (B)(v)(I)(aa), and such student is counted as participating in the assessment for purposes of sub section (c)(4)(B)(vi); and
- (iii) in high school, such student takes a mathematics assessment pursuant to subparagraph (B)(v)(I)(bb) that— (I) is any end-of-course assessment or other assessment that is more advanced than the assessment taken by such student under clause (i) of this subparagraph; and (II) shall be used to measure such student’s academic achievement for purposes of subsection (c)(4)(B)(i).

(D) ALTERNATIVE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

- (i) ALTERNATIVE ASSESSMENTS ALIGNED WITH ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS.—A State may provide for alternate assessments aligned with the challenging State academic standards and alternate academic achievement standards described in paragraph (1)(E) for students with the most significant cognitive disabilities, if the State— (I) consistent with clause (ii), ensures that, for each subject, the total number of students assessed in such subject using the alternate assessments does not exceed 1 percent of the total number of all students in the State who are assessed in such subject; (II) ensures that the parents of such students are clearly informed, as part of the process for developing the individualized education program (as defined in section 614(d)(1)(A) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)))— (aa) that their child’s academic achievement will be measured based on such alternate standards; and (bb) how participation in such assessments may delay or otherwise affect the student from completing the requirements for a regular high school diploma; (III) promotes, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the involvement and progress of students with the most significant cognitive disabilities in the general education curriculum; (IV) describes in the State plan the steps the State has taken to incorporate universal design for learning, to the extent feasible, in alternate assessments; (V) describes in the State plan that



general and special education teachers, and other appropriate staff— (aa) know how to administer the alternate assessments; and (bb) make appropriate use of accommodations for students with disabilities on all assessments required under this paragraph; (VI) develops, disseminates information on, and promotes the use of appropriate accommodations to increase the number of students with significant cognitive disabilities— (aa) participating in academic instruction and assessments for the grade level in which the student is enrolled; and (bb) who are tested based on challenging State academic standards for the grade level in which the student is enrolled; and (VII) does not preclude a student with the most significant cognitive disabilities who takes an alternate assessment based on alternate academic achievement standards from attempting to complete the requirements for a regular high school diploma.

(ii) SPECIAL RULES.— (I) Responsibility under IDEA.—Subject to the authority and requirements for the individualized education program team for a [child with a disability](#) under section 614(d)(1)(A)(i)(VI)(bb) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VI)(bb)), such team, consistent with the guidelines established by the State and required under section 612(a)(16)(C) of such Act (20 U.S.C. 1412(c)(16)(C)) and clause (i)(II) of this subparagraph, shall determine when a child with a significant cognitive disability shall participate in an alternate assessment aligned with the alternate academic achievement standards. (II) PROHIBITION ON LOCAL CAP.—Nothing in this subparagraph shall be construed to permit the Secretary or a State educational agency to impose on any local educational agency a cap on the percentage of students administered an alternate assessment under this subparagraph, except that a local educational agency exceeding the cap applied to the State under clause (i)(I) shall submit information to the State educational agency justifying the need to exceed such cap. (III) STATE SUPPORT.—A State shall provide appropriate oversight, as determined by the State, of any local educational agency that is required to submit information to the State under subclause (II). (IV) WAIVER AUTHORITY.—This subparagraph shall be subject to the waiver authority under section 8401.

(E) STATE AUTHORITY.—If a State educational agency provides evidence, which is satisfactory to the Secretary, that neither the State educational agency nor any other State government official, agency, or entity has sufficient authority, under State law, to adopt challenging State academic standards, and academic assessments aligned with such standards, which will be applicable to all students enrolled in the State's public elementary schools and secondary schools, then the State educational agency may meet the requirements of this subsection by—

(i) adopting academic standards and academic assessments that meet the requirements of this subsection, on a statewide basis, and limiting their applicability to students served under this part; or



(ii) adopting and implementing policies that ensure that each local educational agency in the State that receives grants under this part will adopt academic content and student academic achievement standards, and academic assessments aligned with such standards, which— (I) meet all of the criteria in this subsection and any regulations regarding such standards and assessments that the Secretary may publish; and (II) are applicable to all students served by each such local educational agency.

(F) LANGUAGE ASSESSMENTS.—

(i) IN GENERAL.—Each State plan shall identify the languages other than English that are present to a significant extent in the participating student population of the State and indicate the languages for which annual student academic assessments are not available and are needed.

(ii) SECRETARIAL ASSISTANCE.—The State shall make every effort to develop such assessments and may request assistance from the Secretary if linguistically accessible academic assessment measures are needed. Upon request, the Secretary shall assist with the identification of appropriate academic assessment measures in the needed languages, but shall not mandate a specific academic assessment or mode of instruction.

(G) ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY.—

(i) IN GENERAL.—Each State plan shall demonstrate that local educational agencies in the State will provide for an annual assessment of English proficiency of all [English learners](#) in the schools served by the State educational agency.

(ii) ALIGNMENT.—The assessments described in clause (i) shall be aligned with the State's English language proficiency standards described in paragraph (1)(F).

(H) LOCALLY-SELECTED ASSESSMENT.—

(i) IN GENERAL.—Nothing in this paragraph shall be construed to prohibit a local educational agency from administering a locally-selected assessment in lieu of the State-designed academic assessment under subclause (I)(bb) and subclause (II)(cc) of subparagraph (B)(v), if the local educational agency selects a nationally-recognized high school academic assessment that has been approved for use by the State as described in clause (iii) or (iv) of this subparagraph.

(ii) STATE TECHNICAL CRITERIA.—To allow for State approval of nationally-recognized high school academic assessments that are available for local selection under clause (i), a State educational agency shall establish technical



criteria to determine if any such assessment meets the requirements of clause (v).

(iii) STATE APPROVAL.—If a State educational agency chooses to make a nationally-recognized high school assessment available for selection by a local educational agency under clause (i), which has not already been approved under this clause, such State educational agency shall— (I) conduct a review of the assessment to determine if such assessment meets or exceeds the technical criteria established by the State educational agency under clause (ii); (II) submit evidence in accordance with sub section (a)(4) that demonstrates such assessment meets the requirements of clause (v); and (III) after fulfilling the requirements of sub clauses (I) and (II), approve such assessment for selection and use by any local educational agency that requests to use such assessment under clause (i).

(iv) LOCAL EDUCATIONAL AGENCY OPTION.— (I) LOCAL EDUCATIONAL AGENCY.— If a local educational agency chooses to submit a nationally- recognized high school academic assessment to the State educational agency, subject to the approval process described in subclause (I) and subclause (II) of clause (iii) to determine if such assessment fulfills the requirements of clause (v), the State educational agency may approve the use of such assessment consistent with clause (i). (II) STATE EDUCATIONAL AGENCY.—Upon such approval, the State educational agency shall approve the use of such assessment in any other local educational agency in the State that subsequently requests to use such assessment without repeating the process described in subclauses (I) and (II) of clause (iii).

(v) REQUIREMENTS.—To receive approval from the State educational agency under clause (iii), a locally- selected assessment shall— (I) be aligned to the State’s academic content standards under paragraph (1), address the depth and breadth of such standards, and be equivalent in its content coverage, difficulty, and quality to the State-designed assessments under this paragraph (and may be more rigorous in its content coverage and difficulty than such State-designed assessments); (II) provide comparable, valid, and reliable data on academic achievement, as compared to the State-designed assessments, for all students and for each subgroup of students defined in sub section (c)(2), with results expressed in terms consistent with the State’s academic achievement standards under paragraph (1), among all local educational agencies within the State; (III) meet the requirements for the assessments under subparagraph (B) of this paragraph, including technical criteria, except the requirement under clause (i) of such subparagraph; and (IV) provide unbiased, rational, and consistent differentiation between schools within the State to meet the requirements of subsection (c).



(vi) PARENTAL NOTIFICATION.—A local educational agency shall notify the parents of high school students served by the local educational agency— (I) of its request to the State educational agency for approval to administer a locally-selected assessment; and (II) upon approval, and at the beginning of each subsequent school year during which the locally selected assessment will be administered, that the local educational agency will be administering a different assessment than the State-de signed assessments under subclause (I)(bb) and subclause (II)(cc) of subparagraph (B)(v).

(I) DEFERRAL.—A State may defer the commencement, or suspend the administration, but not cease the development, of the assessments described in this paragraph, for 1 year for each year for which the amount appropriated for grants under part B is less than \$369,100,000.

(J) ADAPTIVE ASSESSMENTS.—

(i) IN GENERAL.—Subject to clause (ii), a State retains the right to develop and administer computer adaptive assessments as the assessments described in this paragraph, provided the computer adaptive assessments meet the requirements of this paragraph, except that—(I) subparagraph (B)(i) shall not be interpreted to require that all students taking the computer adaptive assessment be administered the same assessment items; and (II) such assessment— (aa) shall measure, at a minimum, each student’s academic proficiency based on the challenging State academic standards for the student’s grade level and growth toward such standards; and (bb) may measure the student’s level of academic proficiency and growth using items above or below the student’s grade level, including for use as part of a State’s account ability system under subsection (c).

(ii) STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES AND ENGLISH LEARNERS.—In developing and administering computer adaptive assessments— (I) as the assessments allowed under subparagraph (D), a State shall ensure that such computer adaptive assessments— (aa) meet the requirements of this para graph, including subparagraph (D), except such assessments shall not be required to meet the requirements of clause (i)(II); and (bb) assess the student’s academic achievement to measure, in the subject being assessed, whether the student is performing at the student’s grade level; and (II) as the assessments required under sub paragraph (G), a State shall ensure that such computer adaptive assessments— (aa) meet the requirements of this paragraph, including subparagraph (G), except such assessment shall not be required to meet the requirements of clause (i)(II); and (bb) assess the student’s language proficiency, which may include growth towards such proficiency, in order to measure the student’s acquisition of English.



(K) RULE OF CONSTRICTION ON PARENT RIGHTS.—Nothing in this paragraph shall be construed as preempting a State or local law regarding the decision of a parent to not have the parent’s child participate in the academic assessments under this paragraph.

(L) LIMITATION ON ASSESSMENT TIME.—Subject to Federal or State requirements related to assessments, evaluations, and accommodations, each State may, at the sole discretion of such State, set a target limit on the aggregate amount of time devoted to the administration of assessments for each grade, expressed as a percentage of annual instructional hours.

(d) SCHOOL SUPPORT AND IMPROVEMENT ACTIVITIES.

(1) COMPREHENSIVE SUPPORT AND IMPROVEMENT.—

(A) IN GENERAL.—Each State educational agency receiving funds under this part shall notify each local educational agency in the State of any school served by the local educational agency that is identified for comprehensive support and improvement under subsection (c)(4)(D)(i).

(B) LOCAL EDUCATIONAL AGENCY ACTION.—Upon receiving such information from the State, the local educational agency shall, for each school identified by the State and in partnership with stakeholders (including principals and other school leaders, teachers, and parents), locally develop and implement a comprehensive support and improvement plan for the school to improve student outcomes, that—

(i) is informed by all indicators described in sub section (c)(4)(B), including student performance against State-determined long-term goals;

(ii) includes evidence-based interventions;

(iii) is based on a school-level needs assessment;

(iv) identifies resource inequities, which may include a review of local educational agency and school- level budgeting, to be addressed through implementation of such comprehensive support and improvement plan;

(v) is approved by the school, local educational agency, and State educational agency; and

(vi) upon approval and implementation, is monitored and periodically reviewed by the State educational agency.

(C) STATE EDUCATIONAL AGENCY DISCRETION.—With respect to any high school in the State identified under subsection (c)(4)(D)(i)(II), the State educational agency may—



(i) permit differentiated improvement activities that utilize evidence-based interventions in the case of such a school that predominantly serves students—
(I) returning to education after having exited secondary school without a regular high school diploma; or (II) who, based on their grade or age, are significantly off track to accumulate sufficient academic credits to meet high school graduation requirements, as established by the State; and

(ii) in the case of such a school that has a total enrollment of less than 100 students, permit the local educational agency to forego implementation of improvement activities required under this paragraph.

(D) PUBLIC SCHOOL CHOICE.—

(i) IN GENERAL.—A local educational agency may provide all students enrolled in a school identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i) with the option to transfer to another public school served by the local educational agency, unless such an option is prohibited by State law.

(ii) PRIORITY.—In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest-achieving children from low-income families, as determined by the funds to schools under section 1113(a)(3).

(iii) TREATMENT.—A student who uses the option to transfer to another public school shall be enrolled in classes and other activities in the public school to which the student transfers in the same manner as all other students at the public school.

(iv) SPECIAL RULE.—A local educational agency shall permit a student who transfers to another public school under this paragraph to remain in that school until the student has completed the highest grade in that school.

(v) FUNDING FOR TRANSPORTATION.—A local educational agency may spend an amount equal to not more than 5 percent of its allocation under subpart 2 of this part to pay for the provision of transportation for students who transfer under this paragraph to the public schools to which the students transfer.

(2) TARGETED SUPPORT AND IMPROVEMENT.—

(A) IN GENERAL.—Each State educational agency receiving funds under this part shall, using the meaningful differentiation of schools described in subsection (c)(4)(C)—



(i) notify each local educational agency in the State of any school served by the local educational agency in which any subgroup of students is consistently underperforming, as described in subsection (c)(4)(C)(iii); and

(ii) ensure such local educational agency provides notification to such school with respect to which subgroup or subgroups of students in such school are consistently underperforming as described in subsection (c)(4)(C)(iii).

(B) TARGETED SUPPORT AND IMPROVEMENT PLAN.— Each school receiving a notification described in this paragraph, in partnership with stakeholders (including principals and other school leaders, teachers and parents), shall develop and implement a school-level targeted support and improvement plan to improve student outcomes based on the indicators in the statewide accountability system established under subsection (c)(4), for each subgroup of students that was the subject of notification that—

(i) is informed by all indicators described in subsection (c)(4)(B), including student performance against long-term goals;

(ii) includes evidence-based interventions;

(iii) is approved by the local educational agency prior to implementation of such plan;

(iv) is monitored, upon submission and implementation, by the local educational agency; and

(v) results in additional action following unsuccessful implementation of such plan after a number of years determined by the local educational agency.

(C) ADDITIONAL TARGETED SUPPORT.—A plan described in subparagraph (B) that is developed and implemented in from the local educational agency in which any subgroup of students, on its own, would lead to identification under subsection (c)(4)(D)(i)(I) using the State's methodology under subsection (c)(4)(D) shall also identify resource inequities (which may include a review of local educational agency and school level budgeting), to be addressed through implementation of such plan. (D) SPECIAL RULE.— The State educational agency, based on the State's differentiation of schools under subsection (c)(4)(C) for school year 2017–2018, shall notify local educational agencies of any schools served by the local educational agency in which any subgroup of students, on its own, would lead to identification under subsection (c)(4)(D)(i)(I) using the State's methodology under subsection (c)(4)(D), after which notification of such schools under this paragraph shall result from differentiation of schools pursuant to subsection (c)(4)(C)(iii).



(3) CONTINUED SUPPORT FOR SCHOOL AND LOCAL EDUCATIONAL AGENCY IMPROVEMENT.—

To ensure continued progress to improve student academic achievement and school success in the State, the State educational agency—

(A) shall—

- (i) establish statewide exit criteria for— (I) schools identified by the State for comprehensive support and improvement under sub section (c)(4)(D)(i), which, if not satisfied within a State-determined number of years (not to exceed four years), shall result in more rigorous State-determined action, such as the implementation of interventions (which may include addressing school-level operations); and (II) schools described in paragraph (2)(C), which, if not satisfied within a State-determined number of years, shall, in the case of such schools receiving assistance under this part, result in identification of the school by the State for comprehensive support and improvement under sub section (c)(4)(D)(i)(III);
- (ii) periodically review resource allocation to support school improvement in each local educational agency in the State serving— (I) a significant number of schools identified for comprehensive support and improvement under subsection (c)(4)(D)(i); and (II) a significant number of schools implementing targeted support and improvement plans under paragraph (2); and
- (iii) provide technical assistance to each local educational agency in the State serving a significant number of— (I) schools implementing comprehensive support and improvement plans under paragraph (1); or (II) schools implementing targeted support and improvement plans under paragraph (2); and

(B) may—

- (i) take action to initiate additional improvement in any local educational agency with— (I) a significant number of schools that are consistently identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i) and not meeting exit criteria established by the State under subparagraph (A)(i)(I); or (II) a significant number of schools implementing targeted support and improvement plans under paragraph (2); and
- (ii) consistent with State law, establish alternative evidence-based State determined strategies that can be used by local educational agencies to assist a school identified for comprehensive support and improvement under subsection (c)(4)(D)(i).



(4) RULE OF CONSTRUCTION FOR COLLECTIVE BARGAINING.—

Nothing in this subsection shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded to school or local educational agency employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employers and their employees.

Section 1124. BASIC GRANTS TO LOCAL EDUCATIONAL AGENCIES.

(c) CHILDREN TO BE COUNTED.

(1) CATEGORIES OF CHILDREN.—

The number of children to be counted for purposes of this section is the aggregate of—

(A) the number of children aged 5 to 17, inclusive, in the school district of the local educational agency from families below the poverty level as determined under paragraph (2);

(B) the number of children (determined under [paragraph \(4\)](#) for either the preceding year as described in that paragraph, or for the second preceding year, as the Secretary finds appropriate) aged 5 to 17, inclusive, in the school district of such agency in institutions for neglected and delinquent children (other than such institutions operated by the United States), but not counted pursuant to [subpart 1 of part D](#) for the purposes of a grant to a State agency, or being supported in foster homes with public funds; and

(C) the number of children aged 5 to 17, inclusive, in the school district of such agency from families above the poverty level as determined under paragraph (4).

(2) DETERMINATION OF NUMBER OF CHILDREN.—

For the purposes of this section, the Secretary shall determine the number of children aged 5 to 17, inclusive, from families below the poverty level on the basis of the most recent satisfactory data, described in paragraph (3), available from the Department of Commerce. The District of Columbia and the Commonwealth of Puerto Rico shall be treated as individual local educational agencies. If a local educational agency contains two or more counties in their entirety, then each county will be treated as if such county were a separate local educational agency for purposes of calculating grants under this part. The total of grants for such counties shall be allocated to such a local educational agency, which local educational agency shall distribute to schools in each county within such agency a share of the local educational agency's total grant that is no less than the county's share of the population counts used to calculate the local educational agency's grant.



Section 2221. PURPOSES; DEFINITIONS.

(a) PURPOSES.

The purposes of this subpart are—

- (1) to improve student academic achievement in reading and writing by providing Federal support to States to develop, revise, or update [comprehensive literacy instruction](#) plans that, when implemented, ensure high-quality instruction and effective strategies in reading and writing from early education through grade 12; and
- (2) for States to provide targeted subgrants to early childhood education programs and local educational agencies and their public or private partners to implement [evidence-based programs](#) that ensure high-quality [comprehensive literacy instruction](#) for students most in need.

(b) DEFINITIONS.

(2) The term ‘eligible entity’ means an entity that consists of—

- (A) one or more local educational agencies that serve a high percentage of [high-need schools](#) and—
 - (i) have the highest number or proportion of children who are counted under [section 1124\(c\)](#), in comparison to other local educational agencies in the State;
 - (ii) are among the local educational agencies in the State with the highest number or percentages of children reading or writing below grade level, based on the most currently available State academic assessment data under [section 1111\(b\)\(2\)](#); or
 - (iii) serve a significant number or percentage of schools that are implementing comprehensive support and improvement activities and targeted support and improvement activities under [section 1111\(d\)](#);
- (B) one or more early childhood education programs serving low-income or otherwise disadvantaged children, which may include home-based literacy programs for preschool-aged children, that have a demonstrated record of providing comprehensive literacy instruction for the age group such program proposes to serve; or
- (C) a local educational agency, described in subparagraph (A), or consortium of such local educational agencies, or an early childhood education program, which may include home-based literacy programs for preschool-aged children, acting in partnership with 1 or more public or private nonprofit organizations or agencies (which may include early childhood education programs) that have a demonstrated record of effectiveness in—



(i) improving literacy achievement of children, consistent with [the purposes of participation under this subpart](#), from birth through grade 12; and

(ii) providing [professional development](#) in comprehensive literacy instruction.

Section 2222. COMPREHENSIVE LITERACY STATE DEVELOPMENT GRANTS.

(d) STATE APPLICATIONS.

(2) CONTENTS.—

An application described in paragraph (1) shall include, at a minimum, the following:

(D) An assurance that the State educational agency will use implementation grant funds described in subsection (f)(1) for comprehensive literacy instruction programs as follows:

(i). Not less than 15 percent of such grant funds shall be used for State and local programs and activities pertaining to children from birth through kindergarten entry.

(ii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among the grades of kindergarten through grade 5.

(iii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among grades 6 through 12.

(E) An assurance that the State educational agency will give priority in awarding a subgrant under section 2223 to an eligible entity that—

(i) serves children from birth through age 5 who are from families with income levels at or below 200 percent of the Federal poverty line; or

(ii) is a local educational agency serving a high number or percentage of high-need schools.

(f) STATE ACTIVITIES.

(1) IN GENERAL.—

A State educational agency receiving a grant under this section shall use not less than 95 percent of such grant funds to award subgrants to eligible entities, based on their needs assessment and a competitive application process.



Section 2223. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF BIRTH THROUGH KINDERGARTEN LITERACY.

(a) SUBGRANTS.

(1) IN GENERAL.—

A State educational agency receiving a grant under this subpart shall, in consultation with the State agencies responsible for administering early childhood education programs and services, including the State agency responsible for administering child care programs, and, if applicable, the State Advisory Council on Early Childhood Education and Care designated or established pursuant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)), use a portion of the grant funds, in accordance with [section 2222\(d\)\(2\)\(D\)\(i\)](#), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to support high-quality early literacy initiatives for children from birth through kindergarten entry.

(b) LOCAL APPLICATIONS.

An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency, at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include a description of

(1)

how the subgrant funds will be used to enhance the language and literacy development and school readiness of children, from birth through kindergarten entry, in early childhood education programs, which shall include an analysis of data that support the proposed use of subgrant funds;

(2)

how the subgrant funds will be used to prepare and provide ongoing assistance to staff in the programs, including through high-quality [professional development](#);

(3)

how the activities assisted under the subgrant will be coordinated with [comprehensive literacy instruction](#) at the kindergarten through grade 12 levels; and

(4)

how the subgrant funds will be used to evaluate the success of the activities assisted under the subgrant in enhancing the early language and literacy development of children from birth through kindergarten entry.



(c) PRIORITY.

In awarding grants under this section, the State educational agency shall give priority to an [eligible entity](#) that will use the grant funds to implement [evidence-based](#) activities defined for the purpose of this subsection as activities meeting the requirements of [8101\(21\)\(A\)\(i\)](#).

(d) LOCAL USES OF FUNDS.

An [eligible entity](#) that receives a subgrant under this section shall use the subgrant funds, consistent with the entity's approved application under subsection (b), to

(1)

carry out high-quality [professional development](#) opportunities for early childhood educators, teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and instructional leaders;

(2)

train providers and personnel to develop and administer [evidence-based](#) early childhood education literacy initiatives; and

(3)

coordinate the involvement of families, early childhood education program staff, principals, other school leaders, specialized instructional support personnel (as appropriate), and teachers in literacy development of children served under the subgrant.

Section 2224. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF KINDERGATEN THROUGH GRADE 12 LITERACY.

(a) SUBGRANTS TO ELIGIBLE ENTITIES.

(1) SUBGRANTS.—

A State educational agency receiving a grant under this subpart shall use a portion of the grant funds, in accordance with clauses (ii) and (iii) of section [2222\(d\)\(2\)\(D\)](#), to award subgrants, on a competitive basis, to [eligible entities](#) to enable the [eligible entities](#) to carry out the authorized activities described in subsections [\(c\)](#) and [\(d\)](#).

(4) LOCAL APPLICATIONS.—

An [eligible entity](#) desiring to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include, for each school that



the [eligible entity](#) identifies as participating in a subgrant program under this section, the following information:

(A)

A description of the [eligible entity](#)'s needs assessment conducted to identify how subgrant funds will be used to inform and improve [comprehensive literacy instruction](#) at the school.

(B)

How the school, the local educational agency, or a provider of high-quality [professional development](#) will provide ongoing high-quality [professional development](#) to all teachers, principals, other school leaders, specialized instructional support personnel (as appropriate), and other instructional leaders served by the school.

(C)

How the school will identify children in need of literacy interventions or other support services.

(D)

An explanation of how the school will integrate [comprehensive literacy instruction](#) into a [well-rounded education](#).

(E)

A description of how the school will coordinate [comprehensive literacy instruction](#) with early childhood education programs and activities and after-school programs and activities in the area served by the local educational agency.

[\(b\) PRIORITY.](#)

In awarding grants under this section, the State educational agency shall give priority to an [eligible entity](#) that will use funds under subsection (c) *or* (d) to implement [evidence-based](#) activities, defined for the purpose of this subsection as activities meeting the requirements of [section 8101\(21\)\(A\)\(i\)](#).

[\(c\) LOCAL USES OF FUNDS FOR KINDERGARTEN THROUGH GRADE 5.](#)

An [eligible entity](#) that receives a subgrant under this section shall use the subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 5:

(1)

Developing and implementing a [comprehensive literacy instruction](#) plan across content areas for such children that

(A) serves the needs of all children, including [children with disabilities](#) and [English learners](#), especially children who are reading or writing below grade level;

(B) provides intensive, supplemental, accelerated, and explicit intervention and support in reading and writing for children whose literacy skills are below grade level; and

(C) supports activities that are provided primarily during the regular school day but that may be augmented by after-school and out-of-school time instruction.

(2)

Providing high-quality [professional development](#) opportunities for teachers, literacy coaches, literacy specialists, English as a second language specialists (as appropriate), principals, other school leaders, specialized instructional support personnel, school librarians, paraprofessionals, and other program staff.

(3)

Training principals, specialized instructional support personnel, and other local educational agency personnel to support, develop, administer, and evaluate high-quality kindergarten through grade 5 literacy initiatives.

(4)

Coordinating the involvement of early childhood education program staff, principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), special educators, school personnel, and specialized instructional support personnel (as appropriate) in the literacy development of children served under this subsection.

(5)

Engaging families and encouraging family literacy experiences and practices to support literacy development.

[\(d\) LOCAL USES OF FUNDS FOR GRADES 6 THROUGH 12.](#)

An eligible entity that receives a subgrant under this section shall use subgrant funds to carry out the following activities pertaining to children in grades 6 through 12:



(1)

Developing and implementing a [comprehensive literacy instruction](#) plan described in subsection (c)(1) for children in grades 6 through 12.

(2)

Training principals, specialized instructional support personnel, school librarians, and other local educational agency personnel to support, develop, administer, and evaluate high quality [comprehensive literacy instruction](#) initiatives for grades 6 through 12.

(3)

Assessing the quality of adolescent [comprehensive literacy instruction](#) as part of a [well-rounded education](#).

(4)

Providing time for teachers to meet to plan [evidence based](#) adolescent [comprehensive literacy instruction](#) to be delivered as part of a [well-rounded education](#).

(5)

Coordinating the involvement of principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), paraprofessionals, special educators, specialized instructional support personnel (as appropriate), and school personnel in the literacy development of children served under this subsection.

Section 2301. SUPPLEMENT, NOT SUPPLANT.

Funds made available under this title shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this title.

Definitions

Child with a disability

Section 8101(4)

(4) The term “child with a disability” has the same meaning given that term in section 602 of the Individuals with Disabilities Education Act.

Section 1401(3) of the Individuals with Disabilities Education Act (IDEA)

CHILD WITH A DISABILITY



(A) IN GENERAL. The term child with a disability means a child (i) with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this title as emotional disturbance), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and (ii) who, by reason thereof, needs special education and related services.

(B) CHILD AGED 3 THROUGH 9. The term child with a disability for a child aged 3 through 9 (or any subset of that age range, including ages 3 through 5), may, at the discretion of the State and the local educational agency, include a child (i) experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in 1 or more of the following areas: physical development; cognitive development; communication development; social or emotional development; or adaptive development; and (ii) who, by reason thereof, needs special education and related services.

Comprehensive literacy instruction

Section 2221(b)(1)

The term “comprehensive literacy instruction” means instruction that—

(A) includes developmentally appropriate, contextually explicit, and systematic instruction, and frequent practice, in reading and writing across content areas;

(B) includes age-appropriate, explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension;

(C) includes age-appropriate, explicit instruction in writing, including opportunities for children to write with clear purposes, with critical reasoning appropriate to the topic and purpose, and with specific instruction and feedback from instructional staff;

(D) makes available and uses diverse, high-quality print materials that reflect the reading and development levels, and interests, of children;

(E) uses differentiated instructional approaches, including individual and small group instruction and discussion;

(F) provides opportunities for children to use language with peers and adults in order to develop language skills, including developing vocabulary;

(G) includes frequent practice of reading and writing strategies;



(H) uses age-appropriate, valid, and reliable screening assessments, diagnostic assessments, formative assessment processes, and summative assessments to identify a child's learning needs, to inform instruction, and to monitor the child's progress and the effects of instruction;

(I) uses strategies to enhance children's motivation to read and write and children's engagement in self-directed learning;

(J) incorporates the principles of universal design for learning;

(K) depends on teachers' collaboration in planning, instruction, and assessing a child's progress and on continuous professional learning; and

(L) links literacy instruction to the challenging State academic standards, including the ability to navigate, understand, and write about, complex print and digital subject matter.

Eligible entity

[Section 2221\(b\)\(2\)](#)

The term 'eligible entity' means an entity that consists of—

(A) one or more local educational agencies that serve a high percentage of [high-need schools](#) and— (i) have the highest number or proportion of children who are counted under [section 1124\(c\)](#), in comparison to other local educational agencies in the State; (ii) are among the local educational agencies in the State with the highest number or percentages of children reading or writing below grade level, based on the most currently available State academic assessment data under [section 1111\(b\)\(2\)](#); or (iii) serve a significant number or percentage of schools that are implementing comprehensive support and improvement activities and targeted support and improvement activities under [section 1111\(d\)](#);

(B) one or more early childhood education programs serving low-income or otherwise disadvantaged children, which may include home-based literacy programs for preschool-aged children, that have a demonstrated record of providing comprehensive literacy instruction for the age group such program proposes to serve; or

(C) a local educational agency, described in subparagraph (A), or consortium of such local educational agencies, or an early childhood education program, which may include home-based literacy programs for preschool-aged children, acting in partnership with 1 or more public or private nonprofit organizations or agencies (which may include early childhood education programs) that have a demonstrated record of effectiveness in— (i) improving literacy achievement of children, consistent with [the purposes of participation under this subpart](#), from birth through grade 12; and (ii) providing [professional development](#) in comprehensive literacy instruction.



English learner

Section 8101(20)

The term “English learner”, when used with respect to an individual, means an individual—

- (A) who is aged 3 through 21;
- (B) who is enrolled or preparing to enroll in an elementary school or secondary school;
- (C)(i) who was not born in the United States or whose native language is a language other than English; (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and (II) who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; or (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual— (i) the ability to meet the challenging State academic standards; (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or (iii) the opportunity to participate fully in society.

Evidence-based

Section 8101(21)(A)

Except as provided in subparagraph (B), the term ‘evidence-based’, when used with respect to a State, local educational agency, or school activity, means an activity, strategy, or intervention that— (i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on— (I) strong evidence from at least 1 well designed and well-implemented experimental study; (II) moderate evidence from at least 1 well designed and well-implemented quasi-experimental study; or (III) promising evidence from at least 1 well designed and well-implemented correlational study with statistical controls for selection bias.

High-need school

Section 2221(b)(3)(A)

The term “high-need school” means (i) an elementary school or middle school in which not less than 50 percent of the enrolled students are children from [low-income families](#); or (ii) a high school in which not less than 40 percent of the enrolled students are children from [low-income families](#), which may be calculated using comparable data from the schools that feed into the high school.



Low-income family

Section 2221(b)(3)(B)

For purposes of [subparagraph \(A\)](#), the term “low-income family” means a family (i) in which the children are eligible for a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); (ii) receiving assistance under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or (iii) in which the children are eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act.

Professional development

Section 8101(42)

The term “professional development” means activities that—

(A) are an integral part of school and local educational agency strategies for providing educators (including teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, and, as applicable, early childhood educators) with the knowledge and skills necessary to enable students to succeed in a well- rounded education and to meet the challenging State academic standards; and

(B) are sustained (not stand-alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused, and may include activities that—

(i) improve and increase teachers’ — (I) knowledge of the academic subjects the teachers teach; (II) understanding of how students learn; and (III) ability to analyze student work and achievement from multiple sources, including how to adjust instructional strategies, assessments, and materials based on such analysis;

(ii) are an integral part of broad schoolwide and districtwide educational improvement plans;

(iii) allow personalized plans for each educator to address the educator’s specific needs identified in observation or other feedback;

(iv) improve classroom management skills;

(v) support the recruitment, hiring, and training of effective teachers, including teachers who became certified through State and local alternative routes to certification;



(vi) advance teacher understanding of— (I) effective instructional strategies that are [evidence-based](#); and (II) strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers;

(vii) are aligned with, and directly related to, academic goals of the school or local educational agency;

(viii) are developed with extensive participation of teachers, principals, other school leaders, parents, representatives of Indian tribes (as applicable), and administrators of schools to be served under this Act;

(ix) are designed to give teachers of [English learners](#), and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;

(x) to the extent appropriate, provide training for teachers, principals, and other school leaders in the harms of copyright piracy, so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and academic subjects in which the teachers teach;

(xi) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;

(xii) are designed to give teachers of [children with disabilities](#) or children with developmental delays, and other teachers and instructional staff, the knowledge and skills to provide instruction and academic support services, to those children, including positive behavioral interventions and supports, [multi-tier system of supports](#), and use of accommodations;

(xiii) include instruction in the use of data and assessments to inform and instruct classroom practice;

(xiv) include instruction in ways that teachers, principals, other school leaders, specialized instructional support personnel, and school administrators may work more effectively with parents and families;

(xv) involve the forming of partnerships with institutions of higher education, including, as applicable, Tribal Colleges and Universities as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)), to establish school-based teacher, principal, and other school leader training programs that provide prospective teachers, novice teachers, principals, and other school leaders with an opportunity to work under the



guidance of experienced teachers, principals, other school leaders, and faculty of such institutions;

(xvi) create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under part A of title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers;

(xvii) provide follow-up training to teachers who have participated in activities described in this paragraph that are designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom; and

(xviii) where practicable, provide jointly for school staff and other early childhood education program providers, to address the transition to elementary school, including issues related to school readiness.

Well-rounded education

[Section 8101\(52\)](#)

The term “well-rounded education” means courses, activities, and programming in subjects such as English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, physical education, and any other subject, as determined by the State or local educational agency, with the purpose of providing all students access to an enriched curriculum and educational experience.