To Ensure All Students are Safe, Healthy, and Ready to Succeed

FUNDING OPPORTUNITIES IN THE EVERY STUDENT SUCCEEDS ACT

JUNE 2016
Futures Without Violence (FUTURES) is a health and social justice nonprofit that advances policies, programs, and groundbreaking public education campaigns created to end violence against women and children around the world. Providing leadership from offices in San Francisco, Washington, DC, and Boston, FUTURES has trained thousands of professionals, advocates, and community influencers on improving responses to violence and abuse. The organization created the first public education campaign about domestic violence called “There’s No Excuse,” and was a driving force behind the passage of the Violence Against Women Act in 1994, a comprehensive federal response to the violence that affects families and communities.
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INTRODUCTION

By all accounts, the passage of the Every Student Succeeds Act (ESSA), Public Law No: 114-95, has greatly increased the flexibility of states to design an educational system that best serves the needs of all their children. The flexibility covers everything from how a state designs its accountability system, to the interventions it chooses for low-performing schools, to its teacher evaluation system, to how it spends its federal funds in a variety of areas. The law also provides additional flexibility to Local Educational Agencies (LEAs or school districts) in how they design their instructional supports and other student programs. Fundamentally, ESSA, like past versions of the Elementary and Secondary Education Act, is about providing equity for all students. Every student is entitled to an equal educational opportunity and ESSA provides the framework to realize this opportunity if done correctly.

ESSA clearly recognizes that student learning is directly affected by school climate and that it is important for schools to provide appropriate supports and services to students who have been exposed to violence and the effects of trauma. It contains a variety of provisions and programs throughout the various parts of the law to provide States, LEAs, schools, and educators with resources and tools to effectively address these issues. It also enhances reporting requirements to assist parents and the community in knowing and assessing how their schools are assisting children who need these supports.

The purpose of this guide is to provide states and school districts with an inventory of how they can use the new law and the funding it provides to support positive school climates, and in particular prevent and respond to the needs of children suffering from exposure to violence and the effects of trauma. There is now clear scientific research supporting what educators have known all along — the environment that children come from outside the home and the experiences they bring with them into the classroom greatly affect their ability to learn once they come inside the school doors. What is less known is the direct impact that these “Adverse Childhood Experiences” (ACEs) have on students’ behavior and academic achievement.

The statistics are staggering. Forty-six million children in the United States are exposed to violence, crime, abuse, or psychological trauma in a given year — nearly two out of every three children in this country. There is a direct correlation between these ACEs and students’ academic and health outcomes:

- Students traumatized by exposure to violence have lower grade-point averages, more negative remarks in their cumulative records, and more reported absences from school than other students.
- Children with two or more ACEs were 2.67 times more likely to repeat a grade, even when adjusting for demographic characteristics and health factors.
- Trauma can affect sustained and focused attention, making it difficult for a student to remain engaged in school.
- Chronic stress can have a permanent negative effect on the chemical and physical structures of a child’s brain, causing trouble with memory and creativity.

Perhaps most concerning, individuals who have experienced six or more ACEs die 20 years earlier on average than those who have experienced none.

The harms from childhood exposure to violence and the effects of trauma, and the policy solutions to effectively combat this problem, are further detailed in a 2015 report, “Safe, Healthy, and Ready to Learn: Policy Recommendations to Ensure Children Thrive in Supportive Communities Free From Trauma and Violence.”

Fortunately, ESSA gives states and school districts the opportunity to address these challenges head-on.
WHAT IS THIS GUIDE?

While full implementation of ESSA will not occur until the 2017-18 school year, planning must begin now. States and school districts can find valuable resources for creating positive school climates and preventing and responding to students’ exposure to violence and trauma in ESSA Titles I, II, IV, V, VI, VII, and IX. This guide describes resources, programmatic requirements, and allowable uses of funds in each of these Titles. For each Title, this guide provides a brief description about the program that was authorized, lists the appropriated and authorized funding levels as set forth by Congress, the President’s fiscal year 2017 budget request, and the type of entity that can apply for the funds. Unless otherwise indicated, the language from the law itself is in the Appendix.

While ESSA is new, many of the activities described in the law have already been carried out by states and school districts. The guide highlights some of these efforts and results throughout the document. While this guide focuses on ESSA, please note that there are other federal grant programs that can support this work, including those in the United States Department of Justice, Department of Health and Human Services, and Department of Education. Please visit www.grants.gov to search for these grants.

We hope you find this funding guide useful in your efforts to ensure that all students can attend school safe, healthy, and ready to learn. The United States Department of Education will be issuing both regulations and non-regulatory guidance in the weeks and months ahead to provide additional clarity about ESSA. We encourage you to visit the Department’s dedicated website to ESSA, www.ed.gov/essa, for the latest information.

FEATURED ESSA PROGRAMS

TITLE I: Improving The Academic Achievement Of The Disadvantaged

Part A: Improving Basic Programs Operated By Local Educational Agencies

(See pages 19-35 for language of the law)

FY 2016 Appropriation: $14,909,802,000
FY 2017 Authorization: $15,012,318,000
FY 2017 Budget request: $15,359,802,000
FY 2018 Authorization: $15,457,459,000
FY 2019 Authorization: $15,897,371,000
FY 2020 Authorization: $16,182,345,000
**Purpose.** This program, by far the largest ESSA program in terms of funding, provides financial assistance to LEAs and schools with high numbers or high percentages of students from low-income families. The purpose of the program is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps. Federal funds are allocated through four statutory formulas that are based primarily on census poverty estimates and the cost of education in each state.

LEAs target the Title I funds they receive to public schools with the highest percentages of students from low-income families. Schools enrolling at least 40 percent of students from low-income families and schools that receive a waiver from the State Educational Agency (SEA) of the 40 percent threshold are eligible to use Title I funds for schoolwide programs designed to upgrade their entire educational program to improve achievement for all students, particularly the lowest-achieving students. LEAs receiving Title I funds that have schools that are ineligible to be designated a schoolwide program or that choose not to operate a schoolwide program can administer “targeted assistance programs,” in which the funds are used on qualifying students with the greatest need for special assistance.

**SEA requirements.** Under ESSA, the federal “adequate yearly progress” accountability system is replaced by state-designed systems, under which states must develop the criteria for identifying and supporting struggling schools. The most important change regarding accountability is that states must include not less than one indicator of school quality or student success, which can include a measure of school climate and safety. To be eligible for funds, each SEA must submit a State plan to the United States Department of Education that describes its statewide accountability system. In addition, each State plan must describe how the SEA will support LEAs receiving Title I funds to improve school conditions for student learning, including through reducing:

(i) incidences of bullying and harassment;
(ii) the overuse of discipline practices that remove students from the classroom; and
(iii) the use of aversive behavioral interventions that compromise student health and safety;

SEAs must also demonstrate that they have consulted local school districts in developing their plans.

**State Report Cards.** Each State must also issue an annual report card that includes a clear and concise description of the State’s accountability system and information on the performance of the other indicator or indicators of school quality or student success. In addition, the report card must include information submitted by the SEA and each LEA to the U.S. Department of Education on, among other data, measures

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**California Office To Improve Education (CORE)**

The CORE districts in California are doing promising work in creating a more holistic accountability system. The CORE districts are a group of school districts serving over one million students: Fresno Unified, Sanger Unified, Garden Grove Unified, Sacramento City Unified, Oakland Unified, Santa Ana Unified, San Francisco Unified, Long Beach Unified, and Los Angeles Unified.

These districts have developed a joint school quality improvement index which uses multiple measures to provide educators with a wider array of information to improve student learning.

“Academic information accounts for 60 percent of the Index and includes measurements of English Language Arts and Mathematics learning, graduation rates (four-five and six year cohorts) and High School Readiness Rates of 8th Graders. The Social-Emotional & Culture-Climate indicators are weighted at 40 percent of the index and currently include measurements of chronic absenteeism, suspension/expulsion rates, and English Learner re-designation rates. In 2016 the Index will measure growth in academic achievement and the social/ emotional–culture climate elements will expand to include student, family and staff surveys as well as indicators of Social-Emotional Skills. The Index was developed by educators working in collaboration across school districts in CORE with input from academic experts in educational accountability systems at Harvard, Stanford and other institutions.”
of school quality, climate, and safety, including:

- rates of in-school suspensions, out-of-school suspensions, expulsions, and school-related arrests;
- referrals to law enforcement;
- chronic absenteeism (including both excused and unexcused absences); and
- incidences of violence, including bullying and harassment.

Each LEA must also prepare and disseminate a report card that includes the same elements.

**School Improvement: Comprehensive Support and Improvement/Targeted Support and Improvement.**
Based on its accountability system, each State, beginning with school year 2017-18, and at least once every three school years thereafter, must identify low-performing schools for comprehensive support and improvement. LEAs must then develop and implement a comprehensive support and improvement plan for each identified school that includes evidence-based interventions and is based on a school-level needs assessment.

In addition, schools in which any subgroup of students is consistently underperforming must develop and implement a school-level targeted support and improvement plan to improve student outcomes. As with the comprehensive support and improvement plans, such plans must include evidence-based interventions.

Each SEA must reserve 7 percent of its Title I allocation for subgrants to LEAs serving schools implementing comprehensive support and improvement activities or targeted support and improvement activities.

These improvement plans and interventions create an opportunity to include programs and activities relating to childhood trauma and violence, mental health services, and related activities and supports.

**LEA plans and uses of funds.** The LEA Title I plan must describe how the LEA will support efforts to reduce the overuse of discipline practices that remove students from the classroom, which may include identifying and supporting schools with high rates of disciplinary sanctions, disaggregated by each student subgroup.

Schools operating a schoolwide program, must, among other things:

- Involve parents and other stakeholders in developing the plan;
- Make the plan publicly available;
- Develop the plan in coordination and integration with other Federal, State, and local services, resources, and programs, if applicable, such as violence prevention programs, nutrition programs, housing programs, and Head Start programs;
• Conduct a needs assessment; and

• Describe the strategies that the school will use to address school needs, including a description of how such strategies will address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards. Activities may include counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve students’ skills outside the academic subject areas.

Schools operating Targeted Assistance programs may utilize a schoolwide tiered model to prevent and address behavioral problems and, if appropriate and applicable, coordinate and integrate Federal, State, and local services and programs, such as programs supported under ESSA, 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.

In addition, under certain conditions, Targeted Assistance schools may use a portion of their Title I funds to provide family support and engagement services or integrated student supports.

**Eligible Entities for Funding.** This is a formula grant program where SEAs receive the federal funds and distribute most of those funds to LEAs in accordance with the Title I formulas. The Secretary of Education is permitted to reserve some funds to support students in outlying areas and Native American students served or supported by the Department of the Interior.

**Part D: Prevention And Intervention Programs For Children And Youth Who Are Neglected, Delinquent, Or At-Risk**

*(See page 36 for language of the law)*

FY 2016 Appropriation: $47,614,000
FY 2017 Budget request: $47,614,000
FY 2017 – FY 2020 Authorization: $47,614,000

**Purpose.** This program provides formula grants to SEAs for supplementary educational services to help provide educational continuity for children and youths in local, tribal, and state-run institutions for juveniles and in adult correctional institutions so that these youths can make successful transitions to school or employment once they are released.

Funds are also used to improve educational services to prevent at-risk youth from dropping out of school, and to provide dropouts, and children and youth returning from correctional facilities or institutions for neglected or delinquent children and youth, with a support system to ensure their continued education and the involvement of their families and communities.

Among the allowable uses of funds at the local level is “the coordination of health and social services for such individuals if there is a likelihood that the provision of such services, including day care, drug and alcohol counseling, and mental health services, will improve the likelihood such individuals will complete their education....”

**Eligible Entities for Funding.** Funds are allocated by formula to SEAs, which make subgrants to the state agencies responsible for educating neglected or delinquent children and youths. To be eligible for state funds, juvenile institutions must provide 20 hours a week of instruction from nonfederal funds; adult correctional institutions must provide 15 hours.

There is also an LEA program that requires each SEA to reserve from its Title I, Part A allocation, funds generated by the number of children in locally operated institutions for delinquent youths. Funds are awarded to LEAs with high proportions of youths in local correctional facilities to support dropout prevention programs for at-risk youths.
Title II: Preparing, Training, And Recruiting High-Quality Teachers, Principals, Or Other School Leaders

Part A: Supporting Effective Instruction
(See pages 36-39 for language of the law)

FY 2016 Appropriation for predecessor Teacher Quality State Grants: $2,349,830,000
FY 2017 Budget request: $2,250,000,000
FY 2017 – FY 2020 Authorization: $2,295,830,000

Purpose. The purpose of this program is to provide grants to SEAs, which then provide subgrants to LEAs to:

“(1) increase student achievement consistent with the challenging State academic standards; (2) improve the quality and effectiveness of teachers, principals, and other school leaders; (3) increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and (4) provide low-income and minority students greater access to effective teachers, principals, and other school leaders.”

LEAs can use the funds to “...carry[] out in-service training for school personnel in—
(i) the techniques and supports needed to help educators understand when and how to refer students affected by trauma, and children with, or at risk of, mental illness;
(ii) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community, where appropriate;
(iii) forming partnerships between school-based mental health programs and public or private mental health organizations; and
(iv) addressing issues related to school conditions for student learning, such as safety, peer interaction, drug and alcohol abuse, and chronic absenteeism...”

Eligible Entities for Funding. This is a formula grant program to SEAs, with at least 95 percent of funds provided by formula as subgrants to LEAs.

The HEARTs Program

Since San Francisco Unified’s El Dorado High School started adopting trauma-informed practices through the HEARTs program, their office referrals dropped 74% and suspensions dropped 89%. They started integrating the HEARTs program into its discipline practices—a program that treats behavior issues and acting out as the result of childhood trauma, and aims to get to the root cause. This included the introduction of a ‘wellness room,’ a space students can use to calm down when feeling triggered, as well as an investment in teacher trainings on the topic of victims of trauma. Teachers are also provided wellness groups so that they have a space where they can process and discuss how the stress and trauma of their students may be affecting them. There is a district-wide effort to help change school environments that also include Positive Behavioral Interventions and Supports, as well as social-emotional learning.
Title IV: 21st Century Schools

Part A: Student Support And Academic Enrichment Grants

(See pages 39-44 for language of the law)

FY 2016 Appropriation: N/A
FY 2017 Authorization: $1,650,000,000
FY 2017 Budget request: $500,000,000
FY 2018 – FY 2020 Authorization: $1,600,000,000

Purpose. The program is divided into three parts that are designed to improve students’ academic achievement by increasing the capacity of states, LEAs, schools, and communities to (1) provide students with access to a well-rounded education; (2) improve school conditions for student learning; and (3) improve the use of technology. The language of the law in the Appendix focuses on item two – improving conditions for student learning.

States that receive funds can use them for a variety of activities, including coordinating with LEAs to reduce exclusionary discipline, implementing evidence-based mental health awareness training programs, and expanding access for school-based counseling and mental health programs. LEAs have to apply to the SEA for funds. The law requires LEAs receiving over $30,000 to do a comprehensive needs assessment that examines, among other things, school conditions for student learning in order to create a healthy and safe school environment. LEAs have latitude to implement the particular programs of their choosing. These programs include school-based mental health services, school-based mental health services partnership programs that are evidence-based and trauma-informed, programs that prevent bullying and harassment, instructional practices for developing relationship-building skills, training for school personnel on effective and trauma-informed practices in classroom management, and child sexual abuse and prevention programs.

Eligible Entities for Funding. This is primarily a formula grant program for states, with smaller sums available for schools operated or funded by the Bureau of Indian Education and for outlying areas. SEAs will subgrant the bulk of the funds they receive to LEAs. LEAs that receive an award of $30,000 or more must spend at least 20% of their funds on at least one activity in Sec. 4107 (well-rounded education), at least 20% of their funds on at least one activity on Sec. 4108 (improving conditions for student learning), and a portion of their funds on at least one activity under Sec. 4109 (improving the use of technology, but no more than 15% of their total allocation can be used for technology infrastructure). LEAs that receive less than $30,000 only need to do work in one of those three areas. Subject to some exceptions, no eligible LEA will receive less than $10,000.
Part B: 21st Century Community Learning Centers
(See page 45 for language of the law)

FY 2016 Appropriation: $1,166,673,000
FY 2017 Budget request: $1,000,000,000
FY 2017 Authorization: $1,000,000,000
FY 2018 – FY 2020 Authorization: $1,100,000,000

Purpose. The program provides opportunities for communities to establish or expand activities in community learning centers that, among other things, offer students an array of services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, and counseling programs.

Eligible Entities for Funding. Funds are distributed by formula to states, the Bureau of Indian Education, and outlying areas, which can then be subgranted via a competitive grant program to LEAs, community-based organizations, Indian tribes or tribal organizations, another public or private entity, or a consortium of two or more such agencies, organizations, or entities. Subgrants cannot be less than $50,000.

Part F: National Activities
(See pages 45-50 for language of the law)

FY 2016 Appropriation: N/A
FY 2017-2018 Authorization: $200,741,000
FY 2019-2020 Authorization: $220,741,000

Subpart 2: Community Support or School Success

Subpart 2 has two programs – the Promise Neighborhoods Program and the Full-Service Community School Program (FSCS).

FY 2016 Appropriation:
- $72,254,000 for Promise Neighborhoods
- $10,000,000 for FSCS

FY 2017 Budget request:
- $128,000,000 for Promise Neighborhoods
- $10,000,000 for Full-Service community schools

FY 2017 – FY 2018 Authorization: 36% of the amount appropriated for “National Activities” under this part (authorized at $200,741,000) after $5 million is reserved for the Project SERV program (see below). The maximum amount authorized for these two years is $70,467,000.

FY 2019 – FY 2020 Authorization: 32% of the amount appropriated for “National Activities” under this part (authorized at $220,741,000) after $5 million is reserved for the Project SERV program. The maximum amount authorized for these two years is $69,037,000.

Employing Trauma-Based Responses To Disciplinary Issues

At the Metropolitan Business Academy in New Haven, CT, the number of suspensions dropped by two-thirds and college enrollment increased from 48% to 70% in just two years. This was due in part to the school developing a trauma response program with Animated Learning by Integrating and Validating Experience (ALIVE). ALIVE uses drama therapists to prevent and respond to discipline problems. The therapists are trained in both psychology and theater, and use their training to integrate drama and roleplaying in their counseling. They also offer an after school program by the Post Traumatic Stress Center and have a social worker on staff.

(See page 45 for language of the law)
Los Angeles Promise Neighborhood

The Youth Policy Institute (YPI) is the lead agency for the Los Angeles Promise Neighborhood – an initiative that was awarded a Promise Neighborhoods grant by the U.S. Department of Education in 2012. Since then, they have strived to transform the communities of Pacoima and Hollywood by implementing a continuum of integrated cradle-to-college and career services.

The Los Angeles Promise Neighborhood and YPI focus on integrating wraparound services that include prenatal and early childhood development, extended learning time, technology initiatives, summer and bridge programs, college and career support, as well as dropout and gang prevention among other things. They also offer family support services, adult education, and financial literacy education.

Closing The Gap In Student Performance

The United Way of Buffalo and Erie County was a 2015 recipient of a Full-Service Community Schools Program grant administered by the U.S. Department of Education for their Closing the Gap in Student Performance (CTG) initiative. CTG is a school-community collaboration in six Buffalo Public Schools that integrate health, human, and social services to enhance conditions for learning. They serve 3,247 students in Pre-Kindergarten through 8th grade. Their goal is to close the achievement gap by addressing the non-academic barriers that can keep students from learning. Some successes include: 1,084 students served achieved a 12 percent increase in their GPA and a 22 percent increase in 8th grade promotion rates. The initiative also helped to link numerous families with services, including anger management and grief counseling.

Purpose. There are two competitive grant programs under this subpart, Promise Neighborhoods and FSCS. The purpose of Promise Neighborhoods is to significantly improve the academic and developmental outcomes of children living in the most distressed communities through a community-based continuum of high-quality services. The purpose of the FSCS program is to support the planning, implementation, and operation of full-service community schools that improve the coordination and integration, accessibility, and effectiveness of services for children and families, particularly for children attending high poverty schools.

Eligible Entities for Funding. Institutions of higher education, an Indian tribe or tribal organization, and a nonprofit that meets certain criteria are eligible for a Promise Neighborhoods grant. Under the FSCS program, the grant can go to a consortium of one or more LEAs or the Bureau of Indian Education and one or more community-based organizations, nonprofit organizations, or other public or private entities. The Secretary of Education can make grants up to five years under these competitive grant programs, and can renew grants for an additional two years. The Secretary must make at least three grants per year for Promise Neighborhoods, and at least ten grants per year for FSCS. At least 15% of the funds are intended to go to rural areas.
Subpart 3: National Activities for School Safety – Includes Project School Emergency Response to Violence (SERV)

FY 2016 Project SERV Appropriation: $5,000,000  
FY 2017 Budget request: $90,000,000  
FY 2017 – 2020 Project SERV Authorization: $5,000,000

**Purpose.** The purpose is to support educational institutions whose learning environment has been disrupted due to a violent or traumatic crisis. The Secretary of Education may also fund other activities to improve students’ safety and well-being.

**Eligible Entities for Funding.** LEAs or an institution of higher education where the learning environment has been disrupted due to a traumatic crisis. The Bureau of Indian Education is also eligible for funding if the learning environment of a school operated or funded by the Bureau has been disrupted due to a violent or traumatic crisis.

Title V: State Innovation And Local Flexibility

**Part A: Funding Transferability For State And Local Educational Agencies**

*(See pages 50-51 for language of the law)*

**Purpose.** Title V, Part A, is not a separate program, but rather allows States and LEAs the flexibility to target Federal funds to the programs and activities that most effectively address the unique needs of States and localities.

A State may transfer all, or any lesser amount, of funds it receives for State-level activities under Part A of Title II (Supporting Effective Instruction), Part A of Title IV (Student Support And Academic Enhancement Grants) and 21st Century Community Learning Centers between those provisions or into Parts A, C, and D of Title I, part A of Title III, or Part B of Title V.

Similarly, an LEA may transfer all, or any lesser amount, of funds it receives from Part A of Title II (Supporting Effective Instruction) and Part A of Title IV (Student Support And Academic Enhancement Grants) between those provisions or into Parts A, C, and D of Title I, part A of Title III, or Part B of Title V.

Thus, based on each state and LEA action, there might be more, less, or even no funds available for the safe and healthy students’ activities under Title IV.
Title VI: Indian, Native Hawaiian, And Alaska Native Education\textsuperscript{11}

Part A: Indian Education

(See page 51 for language of the law)

**Purpose.** As stated by Section 6111, the program supports, “LEAs, Indian tribes and organizations, and other entities in developing elementary school and secondary school programs for Indian students that are designed to meet the unique cultural, language, and educational needs of such students; and ensure that all students meet the challenging State academic standards.” Under Section 6115, the Secretary of Education may make formula grants for, among other things, “(7) activities to educate individuals so as to prevent violence, suicide, and substance abuse.”

**Eligible Entities for Funding.** LEAs, Indian tribes, Indian organizations, and Indian community-based organizations.

**Subpart 1: Formula Grants to LEAs**
- FY 2016 Appropriation: $100,381,000
- FY 2017 Authorization: $100,381,000
- FY 2017 Budget request: $100,381,000
- FY 2018 Authorization: $102,389,000
- FY 2019 Authorization: $104,436,000
- FY 2020 Authorization: $106,525,000
Subpart 2: Special Programs and Projects to Improve Educational Opportunities for Indian Children

Under Section 6121, the Secretary of Education may award competitive grants to improve the educational opportunities for Indian children and youth. Grants can be used for, among other things, "(4) special health and nutrition services and other related activities, that address the special health, social, and psychological problems of Indian children and youth…. [and] (6) comprehensive guidance, counseling, and testing services."

FY 2016 Appropriation: $37,993,000
FY 2017 Budget request: $67,993,000
FY 2017-2020 Authorization: $17,993,000

Part C: Alaska Native Education

(See page 51 for language of the law)

FY 2016 Appropriation: $32,453,000
FY 2017 Budget Request: $32,453,000
FY 2017-20 Authorization: $31,453,000

Purpose. The program supports the unique educational needs of Alaska Natives, authorizes the development of supplemental educational programs, integrates Alaska Native cultures and languages into education, helps to develop Alaska Native students’ positive identity, and supports local place-based and culture based curriculum and programming.

Eligible Entities for Funding. Alaska Native organizations and entities based in Alaska predominantly governed by Alaska Natives and that meet other specified criteria.

Title VII: Impact Aid

(See pages 51-52 for language of the law)

SEC. 7003(b). Basic Support Payments.

FY 2016: Appropriation: $1,168,233,000
FY 2017 Budget request: $1,168,233,000
FY 2017 – FY 2019 Authorization: $1,151,233,000
FY 2020 Authorization: $1,240,572,618

Purpose of the Program. Impact Aid assists LEAs that have lost property tax revenue due to the presence of tax-exempt Federal property, or that have experienced increased expenditures due to the enrollment of federally-connected children, including children living on Indian lands. It provides assistance to local school districts with concentrations of children residing on Indian lands, military bases, low-rent housing properties, or other Federal properties and, to a lesser extent, concentrations of children who have parents in the uniformed services or employed on eligible Federal properties who do not live on Federal property.

There are several subparts of Impact Aid, with Basic Support Payments by far the largest. These funds are considered general aid to the recipient LEAs; they may use the funds in whatever manner they choose in accordance with their local and State requirements. Thus, such districts are free to use a portion of their Impact Aid funds to support positive school climates, and address childhood exposure to violence and the effects of trauma.
Eligible Entities for Funding. To receive funds under the Basic Support Payments section of Impact Aid, an LEA must enroll at least 400 “eligible federally-connected children” or the federally connected children must make up at least 3 percent of the school district’s average daily attendance. Federally-connected children are those who:

- resided on Federal property with a parent employed on such property situated in whole or in part within the boundaries of the school district;
- resided on Federal property with a parent who is an official of, and accredited by, a foreign government and is a foreign military officer;
- resided on Federal property and had a parent on active duty in the uniformed services;
- resided on Indian lands;
- resided in federally subsidized low-rent housing;
- had a parent on active duty in the uniformed services but did not reside on Federal property;
- had a parent who is an official of, and has been accredited by, a foreign government and is a foreign military officer but did not reside on Federal property;
- resided on other Federal Property; or
- resided with a parent employed on Federal property in whole or in part in the county in which such LEA is located, or in whole or in part in such agency if such LEA is located in more than one county.

Title IX: Education For The Homeless And Other Laws

Part A: Homeless Children And Youths

(See pages 52-57 for language of the law)

FY 2016: Appropriation: $70,000,000
FY 2017 Budget request: $85,000,000
FY 2017 – FY 2020 Authorization: $85,000,000

Purpose. This Part reauthorizes the Education for Homeless Children and Youths Program of the McKinney-Vento Homeless Assistance Act. States and LEAs must review current practices to determine if they act as a barrier to the identification, enrollment, attendance, or success of homeless children and youth, including pre-school-aged homeless children. SEAs must establish an Office of the Coordinator for Education of Homeless Children and Youth, and each LEA must have a liaison for homeless children and youth. SEAs must submit a plan to the Secretary of Education to provide for the education of homeless children and youths in the State. LEAs are eligible for subgrants if they provide certain assurances and take the actions required by the law.

Eligible Entities for Funding. States, which will then subgrant a portion of the funds to LEAs.
Part B: Miscellaneous; Other Laws

ESSA also contains a provision that explicitly states Congress’ concern about LEAs and schools not adequately addressing the sexual abuse of students. This section is not a program and it does not contain any funding. Rather, it is called a “Sense of Congress.”

SEC. 9201. FINDINGS AND SENSE OF CONGRESS ON SEXUAL MISCONDUCT.

(a) FINDINGS.—Congress finds the following:

(1) There are significant anecdotal reports that some schools and local educational agencies have failed to properly report allegations of sexual misconduct by employees, contractors, or agents.

(2) Instead of reporting alleged sexual misconduct to the appropriate authorities, such as the police or child welfare services, reports suggest that some schools or local educational agencies have kept information on allegations of sexual misconduct private or have entered into confidentiality agreements with the suspected employee, contractor, or agent who agrees to terminate employment with or discontinue work for the school or local educational agency.

(3) The practice of withholding information on allegations of sexual misconduct can facilitate the exposure of other students in other jurisdictions to sexual misconduct.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) confidentiality agreements between local educational agencies or schools and child predators should be prohibited;

(2) local educational agencies or schools should not facilitate the transfer of child predators to other local educational agencies or schools; and

(3) States should require local educational agencies and schools to report any and all information regarding allegations of sexual misconduct to law enforcement and other appropriate authorities.
TITLE I: Improving The Academic Achievement Of The Disadvantaged

Part A: Improving Basic Programs Operated By Local Educational Agencies

SEC. 1003. SCHOOL IMPROVEMENT.

(a) STATE RESERVATIONS.—To carry out subsection (b) and the State educational agency's statewide system of technical assistance and support for local educational agencies, each State shall reserve the greater of—

(1) 7 percent of the amount the State receives under subpart 2 of part A; or

(2) the sum of the amount the State—

(A) reserved for fiscal year 2016 under this subsection, as in effect on the day before the date of enactment of the Every Student Succeeds Act; and

(B) received for fiscal year 2016 under subsection (g), as in effect on the day before the date of enactment of the Every Student Succeeds Act.

(b) USES.—Of the amount reserved under subsection (a) for any fiscal year, the State educational agency—

(1) (A) shall allocate not less than 95 percent of that amount to make grants to local educational agencies on a formula or competitive basis, to serve schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d); or

(B) may, with the approval of the local educational agency, directly provide for these activities or arrange for their provision through other entities such as school support teams, educational service agencies, or nonprofit or for-profit external providers with expertise in using evidence-based strategies to improve student achievement, instruction, and schools; and

(2) shall use the funds not allocated to local educational agencies under paragraph (1) to carry out this section, which shall include—

(A) establishing the method, consistent with paragraph (1)(A), the State will use to allocate funds to local educational agencies under such paragraph, including ensuring—

(i) the local educational agencies receiving an allotment under such paragraph represent the geographic diversity of the State; and

(ii) that allotments are of sufficient size to enable a local educational agency to effectively implement selected strategies;

(B) monitoring and evaluating the use of funds by local educational agencies receiving an allotment under such paragraph; and

(C) as appropriate, reducing barriers and providing operational flexibility for schools in the implementation of comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d).

(c) DURATION.—The State educational agency shall award each subgrant under subsection (b) for a period of not more than 4 years, which may include a planning year.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as prohibiting a State from allocating subgrants under this section to a statewide school district, consortium of local educational agencies, or an educational service agency that serves schools implementing comprehensive support and improvement activities or targeted support and improvement activities, if such entities are legally

APPENDIX: LANGUAGE OF THE LAW
constituted or recognized as local educational
agencies in the State.

(e) Application.—To receive an allotment under
subsection (b)(1), a local educational agency shall
submit an application to the State educational
agency at such time, in such form, and including
such information as the State educational agency
may require. Each application shall include, at a
minimum—

(1) a description of how the local
educational agency will carry out its
responsibilities under section 1111(d) for
schools receiving funds under this section,
including how the local educational agency
will—

(A) develop comprehensive support
and improvement plans under section
1111(d)(1) for schools receiving funds
under this section;

(B) support schools developing
or implementing targeted support and
improvement plans under section 1111(d)
(2), if funds received under this section
are used for such purpose;

(C) monitor schools receiving funds
under this section, including how the
local educational agency will carry out its
responsibilities under clauses (iv) and (v)
of section 1111(d)(2)(B) if funds received
under this section are used to support
schools implementing targeted support
and improvement plans;

(D) use a rigorous review process to
recruit, screen, select, and evaluate any
external partners with whom the local
educational agency will partner;

(E) align other Federal, State, and
local resources to carry out the activities
supported with funds received under
subsection (b)(1); and

(F) as appropriate, modify practices
and policies to provide operational
flexibility that enables full and effective
implementation of the plans described in
paragraphs (1) and (2) of section 1111(d); and

(2) an assurance that each school the
local educational agency proposes to serve
will receive all of the State and local funds it
would have received in the absence of funds
received under this section.

(f) Priority.—The State educational agency,
in allocating funds to local educational agencies
under this section, shall give priority to local
educational agencies that—

(1) serve high numbers, or a high
percentage of, elementary schools and
secondary schools implementing plans under
paragraphs (1) and (2) of section 1111(d);

(2) demonstrate the greatest need for
such funds, as determined by the State; and

(3) demonstrate the strongest
commitment to using funds under this section
to enable the lowest-performing schools to
improve student achievement and student
outcomes.

(g) Unused Funds.—If, after consultation with
local educational agencies in the State, the State
educational agency determines that the amount of
funds reserved to carry out subsection (b) is greater
than the amount needed to provide the assistance
described in that subsection, the State educational
agency shall allocate the excess amount to local
educational agencies in accordance with—

(1) the relative allocations the State
educational agency made to those agencies for
that fiscal year under subpart 2 of part A; or

(2) section 1126(c).

(h) Special Rule.—Notwithstanding any other
 provision of this section, the amount of funds
 reserved by the State educational agency under
 subsection (a) for fiscal year 2018 and each
 subsequent fiscal year shall not decrease the
 amount of funds each local educational agency
 receives under subpart 2 of part A below the
 amount received by such local educational agency
 under such subpart for the preceding fiscal year.

(i) Reporting.—The State shall include in the
report described in section 1111(h)(1) a list of all
the local educational agencies and schools that
received funds under this section, including the
amount of funds each school received and the types
of strategies implemented in each school with such
funds.
SEC. 1111. STATE PLANS.
Subsection (c) Statewide Accountability System

(1) IN GENERAL.—Each State plan shall describe a statewide accountability system that complies with the requirements of this subsection and subsection (d).

(2) SUBGROUP OF STUDENTS.—In this subsection and subsection (d), the term 'subgroup of students' means—

(A) economically disadvantaged students;
(B) students from major racial and ethnic groups;
(C) children with disabilities; and
(D) English learners.

(3) MINIMUM NUMBER OF STUDENTS.—Each State shall describe—

(A) with respect to any provisions under this part that require disaggregation of information by each subgroup of students—

(i) the minimum number of students that the State determines are necessary to be included to carry out such requirements and how that number is statistically sound, which shall be the same State-determined number for all students and for each subgroup of students in the State;
(ii) how such minimum number of students was determined by the State, including how the State collaborated with teachers, principals, other school leaders, parents, and other stakeholders when determining such minimum number; and
(iii) how the State ensures that such minimum number is sufficient to not reveal any personally identifiable information.

(4) DESCRIPTION OF SYSTEM.—The statewide accountability system described in paragraph (1) shall be based on the challenging State academic standards for reading or language arts and mathematics described in subsection (b)(1) to improve student academic achievement and school success. In designing such system to meet the requirements of this part, the State shall carry out the following:

(A) ESTABLISHMENT OF LONG-TERM GOALS.—Establish ambitious State-designed long-term goals, which shall include measurements of interim progress toward meeting such goals—

(i) for all students and separately for each subgroup of students in the State—

(aa) academic achievement, as measured by proficiency on the annual assessments required under subsection (b)(2)(B)(v)(I); and
(bb) high school graduation rates, including—

( AA) the four-year adjusted cohort graduation rate; and
(BB) at the State's discretion, the extended-year adjusted cohort graduation rate, except that the State shall set a more rigorous long-term goal for such graduation rate, as compared to the long-term goal set for the four-year adjusted cohort graduation rate;

(ii) for which the term set by the State for such goals is the same multi-year length of time.
for all students and for each subgroup of students in the State; and

(III) that, for subgroups of students who are behind on the measures described in items (aa) and (bb) of subclause (I), take into account the improvement necessary on such measures to make significant progress in closing statewide proficiency and graduation rate gaps; and

(ii) for English learners, for increases in the percentage of such students making progress in achieving English language proficiency, as defined by the State and measured by the assessments described in subsection (b)(2)(G), within a State-determined timeline.

(B) INDICATORS.—Except for the indicator described in clause (iv), annually measure, for all students and separately for each subgroup of students, the following indicators:

(i) For all public schools in the State, based on the long-term goals established under subparagraph (A), academic achievement—

(I) as measured by proficiency on the annual assessments required under subsection (b)(2)(B)(v)(I); and

(II) at the State’s discretion, for each public high school in the State, student growth, as measured by such annual assessments.

(ii) For public elementary schools and secondary schools that are not high schools in the State—

(I) a measure of student growth, if determined appropriate by the State; or

(ii) another valid and reliable statewide academic indicator that allows for meaningful differentiation in school performance.

(iii) For public high schools in the State, and based on State-designed long term goals established under subparagraph (A)—

(I) the four-year adjusted cohort graduation rate; and

(II) at the State’s discretion, the extended-year adjusted cohort graduation rate.

(iv) For public schools in the State, progress in achieving English language proficiency, as defined by the State and measured by the assessments described in subsection (b)(2)(G), within a State-determined timeline for all English learners—

(I) in each of the grades 3 through 8; and

(II) in the grade for which such English learners are otherwise assessed under subsection (b)(2)(B)(v)(I) during the grade 9 through grade 12 period, with such progress being measured against the results of the assessments described in subsection (b)(2)(G) taken in the previous grade.

(v) (I) For all public schools in the State, not less than one indicator of school quality or student success that—

(aa) allows for meaningful differentiation in school performance;

(bb) is valid, reliable, comparable, and statewide (with the same indicator or indicators used for each grade span, as
such term is determined by the State); and

(cc) may include one or more of the measures described in subclause (II).

(II) For purposes of subclause (I), the State may include measures of—

(iii) student engagement;
(iv) educator engagement;
(v) student access to and completion of advanced coursework;
(vi) postsecondary readiness;
(vii) school climate and safety; and
(viii) any other indicator the State chooses that meets the requirements of this clause.

(C) ANNUAL MEANINGFUL DIFFERENTIATION.—Establish a system of meaningfully differentiating, on an annual basis, all public schools in the State, which shall—

(i) be based on all indicators in the State's accountability system under subparagraph (B), for all students and for each of subgroup of students, consistent with the requirements of such subparagraph;

(ii) with respect to the indicators described in clauses (i) through (iv) of subparagraph (B) afford—

(I) substantial weight to each such indicator; and

(II) in the aggregate, much greater weight than is afforded to the indicator or indicators utilized by the State and described in subparagraph (B) (v), in the aggregate; and

(iii) include differentiation of any such school in which any subgroup of students is consistently underperforming, as determined by the State, based on all indicators under subparagraph (B) and the system established under this subparagraph.

(D) IDENTIFICATION OF SCHOOLS.—Based on the system of meaningful differentiation described in subparagraph (C), establish a State-determined methodology to identify—

(i) beginning with school year 2017–2018, and at least once every three school years thereafter, one statewide category of schools for comprehensive support and improvement, as described in subsection (d)(1), which shall include—

(I) not less than the lowest-performing 5 percent of all schools receiving funds under this part in the State;

(II) all public high schools in the State failing to graduate one third or more of their students; and

(III) public schools in the State described under subsection (d)(3)(A)(i)(II); and

(ii) at the discretion of the State, additional statewide categories of schools...

Subsection (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 subsection (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) 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

(iii) 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...

(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 any school receiving a notification under this paragraph 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 subsection (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 subsection (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.

Subsection (g) Other Plan Provisions

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

(A) how the State will provide assistance to local educational agencies and individual elementary schools choosing to use funds under this part to support early childhood education programs;

(B) how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description (except that nothing in this subparagraph shall be construed as requiring a State to develop or implement a teacher, principal, or other school leader evaluation system);

(C) how the State educational agency will support local educational agencies receiving assistance under this part to improve school conditions for student learning, including through reducing—

(i) incidences of bullying and harassment;

(ii) the overuse of discipline practices that remove students from the classroom; and

(iii) the use of aversive behavioral interventions that compromise student health and safety;
(D) how the State will support local educational agencies receiving assistance under this part in meeting the needs of students at all levels of schooling (particularly students in the middle grades and high school), including how the State will work with such local educational agencies to provide effective transitions of students to middle grades and high school to decrease the risk of students dropping out;

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

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

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

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

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

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

(G) such other factors the State educational agency determines appropriate to provide students an opportunity to achieve the knowledge and skills described in the challenging State academic standards.

Subsection (h) Reports

(1) ANNUAL STATE REPORT CARD.—

(A) IN GENERAL.—A State that receives assistance under this part shall prepare and disseminate widely to the public an annual State report card for the State as a whole that meets the requirements of this paragraph.

(B) IMPLEMENTATION.—The State report card required under this paragraph shall be—

(i) concise;

(ii) presented in an understandable and uniform format that is developed in consultation with parents and, to the extent practicable, in a language that parents can understand; and

(iii) widely accessible to the public, which shall include making available on a single webpage of the State educational agency’s website, the State report card, all local educational agency report cards for each local educational agency in the State required under paragraph (2), and the annual report to the Secretary under paragraph (5).

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

(i) A clear and concise description of the State’s accountability system under subsection (c), including—

(I) the minimum number of students that the State determines are necessary to be included in each of the subgroups of students, as defined in subsection (c)(2), for use in the accountability system;

(II) the long-term goals and measurements of interim progress for all students and for each of the subgroups of students, as defined in subsection (c)(2);

(III) the indicators described in subsection (c)(4)(B) used to meaningfully differentiate all public schools in the State;

(IV) the State’s system for meaningfully differentiating all public schools in the State, including—

(aa) the specific weight of the indicators described in subsection (c)(4)(B) in such differentiation;

(bb) the methodology by which the State differentiates all such schools;

(cc) the methodology by which the State differentiates a school as consistently underperforming for any subgroup of students described in section (c)(4)(C)(iii), including the time period used by the State to determine consistent underperformance; and

(dd) the methodology by which the State identifies a school for comprehensive support and improvement as required under subsection (c)(4)(D)(i);

(V) the number and names of all public schools in the State identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i) or implementing targeted support and improvement plans under subsection (d)(2); and

(VI) the exit criteria established by the State as required under clause (i) of subsection (d)(3)(A), including the length of years established under clause (i)(II) of such subsection.

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

(iii) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), and for purposes of subclause (II) of this clause, homeless status and status as a student with a parent who is a member of the Armed Forces—

(I) information on the performance on the other academic indicator under
subsection (c)(4)(B)(ii) for public elementary schools and secondary schools that are not high schools, used by the State in the State accountability system; and

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

(iv) Information on the number and percentage of English learners achieving English language proficiency.

(v) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), information on the performance on the other indicator or indicators of school quality or student success under subsection (c)(4)(B)(v) used by the State in the State accountability system.

(vi) Information on the progress of all students and each subgroup of students, as defined in subsection (c)(2), toward meeting the State-designed long term goals under subsection (c)(4)(A), including the progress of all students and each such subgroup of students against the State measurements of interim progress established under such subsection.

(vii) For all students and disaggregated by each subgroup of students described in subsection (b) (2)(B)(xi), the percentage of students assessed and not assessed.

(viii) Information submitted by the State educational agency and each local educational agency in the State, in accordance with data collection conducted pursuant to section 203(c)(1) of the Department of Education Organization Act (20 U.S.C. 3413(c)(1)), on—

(I) measures of school quality, climate, and safety, including rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), incidences of violence, including bullying and harassment; and

(II) the number and percentage of students enrolled in—

(aa) preschool programs; and

(bb) accelerated coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual or concurrent enrollment programs.

(ix) The professional qualifications of teachers in the State, including information (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools) on the number and percentage of—

(I) inexperienced teachers, principals, and other school leaders;

(II) teachers teaching with emergency or provisional credentials; and

(III) teachers who are not teaching in the subject or field
for which the teacher is certified or licensed.

(x) The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.

(xii) The number and percentages of students with the most significant cognitive disabilities who take an alternate assessment under subsection (b)(2)(D), by grade and subject.

(xiii) Where available, for each high school in the State, and beginning with the report card prepared under this paragraph for 2017, the cohort rate (in the aggregate, and disaggregated for each subgroup of students defined in subsection (c)(2)), at which students who graduate from the high school enroll, for the first academic year that begins after the students’ graduation—

(I) in programs of public postsecondary education in the State; and

(II) if data are available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State.

(xiv) Any additional information that the State believes will best provide parents, students, and other members of the public with information regarding the progress of each of the State’s public elementary schools and secondary schools, which may include the number and percentage of students attaining career and technical proficiencies (as defined by section 113(b) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2323(b)) and reported by States only in a manner consistent with section 113(c) of such Act (20 U.S.C. 2323(c)).

(D) RULES OF CONSTRUCTION.—Nothing in subparagraph (C)(viii) shall be construed as requiring—

(i) reporting of any data that are not collected in accordance with section 203(c)(1) of the Department of Education Organization Act (20 U.S.C. 3413(c)(1)); or

(ii) disaggregation of any data other than as required under subsection (b)(2)(B)(xi).

(2) ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.—

(A) PREPARATION AND DISSEMINATION.—A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card that includes information on such agency as a whole and each school served by the agency.

(B) IMPLEMENTATION.—Each local educational agency report card shall be—

(i) concise;

(ii) presented in an understandable and uniform format, and to the extent practicable, in a language that parents can understand; and

(iii) accessible to the public, which shall include—

(I) placing such report card on the website of the local educational agency; and

(II) in any case in which a local educational agency does not operate a website, providing
the information to the public in another manner determined by the local educational agency.

(C) MINIMUM REQUIREMENTS.—The State educational agency shall ensure that each local educational agency collects appropriate data and includes in the local educational agency’s annual report the information described in paragraph (1)(C), disaggregated in the same manner as required under such paragraph, except for clause (xii) of such paragraph, as applied to the local educational agency and each school served by the local educational agency, including—

(i) in the case of a local educational agency, information that shows how students served by the local educational agency achieved on the academic assessments described in subsection (b)(2) compared to students in the State as a whole;

(ii) in the case of a school, information that shows how the school’s students’ achievement on the academic assessments described in subsection (b)(2) compared to students served by the local educational agency and the State as a whole; and

(iii) any other information that the local educational agency determines is appropriate and will best provide parents, students, and other members of the public with information regarding the progress of each public school served by the local educational agency, whether or not such information is included in the annual State report card.

(D) ADDITIONAL INFORMATION.—In the case of a local educational agency that issues a report card for all students, the local educational agency may include the information under this section as part of such report.

(3) PREEXISTING REPORT CARDS.—A State educational agency or local educational agency may use public report cards on the performance of students, schools, local educational agencies, or the State, that were in effect prior to the date of enactment of the Every Student Succeeds Act for the purpose of this subsection, so long as any such report card is modified, as may be needed, to contain the information required by this subsection, and protects the privacy of individual students.

(4) COST REDUCTION.—Each State educational agency and local educational agency receiving assistance under this part shall, wherever possible, take steps to reduce data collection costs and duplication of effort by obtaining the information required under this subsection through existing data collection efforts.

SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.

Subsection (b) Plan Provisions

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

(1) how the local educational agency will monitor students’ progress in meeting the challenging State academic standards by—

(A) developing and implementing a well-rounded program of instruction to meet the academic needs of all students;

(B) identifying students who may be at risk for academic failure;

(C) providing additional educational assistance to individual students the local educational agency or school determines need help in meeting the challenging State academic standards; and

(D) identifying and implementing instructional and other strategies intended to strengthen academic programs and improve school conditions for student learning;
(2) how the local educational agency will identify and address, as required under State plans as described in section 1111(g)(1)(B), any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers;

(3) how the local educational agency will carry out its responsibilities under paragraphs (1) and (2) of section 1111(d);

(4) the poverty criteria that will be used to select school attendance areas under section 1113;

(5) in general, the nature of the programs to be conducted by such agency's schools under sections 1114 and 1115 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs;

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

(7) the strategy the local educational agency will use to implement effective parent and family engagement under section 1116;

(8) if applicable, how the local educational agency will support, coordinate, and integrate services provided under this part with early childhood education programs at the local educational agency or individual school level, including plans for the transition of participants in such programs to local elementary school programs;

(9) how teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program under section 1115, will identify the eligible children most in need of services under this part;

(10) how the local educational agency will implement strategies to facilitate effective transitions for students from middle grades to high school and from high school to postsecondary education including, if applicable—

(A) through coordination with institutions of higher education, employers, and other local partners; and

(B) through increased student access to early college high school or dual or concurrent enrollment opportunities, or career counseling to identify student interests and skills;

(11) how the local educational agency will support efforts to reduce the overuse of discipline practices that remove students from the classroom, which may include identifying and supporting schools with high rates of discipline, disaggregated by each of the subgroups of students, as defined in section 1111(c)(2);

(12) if determined appropriate by the local educational agency, how such agency will support programs that coordinate and integrate—

(A) academic and career and technical education content through coordinated instructional strategies, that may incorporate experiential learning opportunities and promote skills attainment important to in-demand occupations or industries in the State; and

(B) work-based learning opportunities that provide students in-depth interaction with industry professionals and, if appropriate, academic credit; and

(13) any other information on how the local educational agency proposes to use funds to meet the purposes of this part, and that the local educational agency determines appropriate to provide, which may include how the local educational agency will—

(A) assist schools in identifying and serving gifted and talented students; and

(B) assist schools in developing
effective school library programs to provide students an opportunity to develop digital literacy skills and improve academic achievement.

SEC. 1114. SCHOOLWIDE PROGRAMS.

(b) SCHOOLWIDE PROGRAM PLAN.—An eligible school operating a schoolwide program shall develop a comprehensive plan (or amend a plan for such a program that was in existence on the day before the date of the enactment of the Every Student Succeeds Act) that—

(1) is developed during a 1-year period, unless—

(A) the local educational agency determines, in consultation with the school, that less time is needed to develop and implement the schoolwide program; or

(B) the school is operating a schoolwide program on the day before the date of the enactment of the Every Student Succeeds Act, in which case such school may continue to operate such program, but shall develop amendments to its existing plan during the first year of assistance after that date to reflect the provisions of this section;

(2) is developed with the involvement of parents and other members of the community to be served and individuals who will carry out such plan, including teachers, principals, other school leaders, paraprofessionals present in the school, administrators (including administrators of programs described in other parts of this title), the local educational agency, to the extent feasible, tribes and tribal organizations present in the community, and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, if the plan relates to a secondary school, students, and other individuals determined by the school;

(3) remains in effect for the duration of the school’s participation under this part, except that the plan and its implementation shall be regularly monitored and revised as necessary based on student needs to ensure that all students are provided opportunities to meet the challenging State academic standards;

(4) is available to the local educational agency, parents, and the public, and the information contained in such plan shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand; and

(5) if appropriate and applicable, is developed in coordination and integration with other Federal, State, and local services, resources, and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d);

(6) is based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children in relation to the challenging State academic standards, particularly the needs of those children who are failing, or are at-risk of failing, to meet the challenging State academic standards and any other factors as determined by the local educational agency; and

(7) includes a description of—

(A) the strategies that the school will be implementing to address school needs, including a description of how such strategies will—

(i) provide opportunities for all children, including each of the subgroups of students (as defined in section 1111(c)(2)) to meet the challenging State academic standards;

(ii) use methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum, which may include programs, activities, and courses necessary to provide a well-rounded education; and

(iii) address the needs of...
all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards, through activities which may include—

(I) counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve students’ skills outside the academic subject areas;

(II) preparation for and awareness of opportunities for postsecondary education and the workforce, which may include career and technical education programs and broadening secondary school students’ access to coursework to earn postsecondary credit while still in high school (such as Advanced Placement, International Baccalaureate, dual or concurrent enrollment, or early college high schools);

(III) implementation of a schoolwide tiered model to prevent and address problem behavior, 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.);

(IV) professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data from academic assessments, and to recruit and retain effective teachers, particularly in high-need subjects; and

(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.

SEC. 1115. TARGETED ASSISTANCE SCHOOLS.

(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 title 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 1116; and

(F) if appropriate and applicable, coordinating and integrating Federal, State, and local services and programs, such as programs supported under this Act, 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 1111(d); and

(G) provide 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....

(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.
Sec. 1424. Uses of Funds. 
(a) In General.—Funds provided to local educational agencies under this subpart may be used, as appropriate, for—

(1) programs that serve children and youth returning to local schools from correctional facilities, to assist in the transition of such children and youth to the school environment and help them remain in school in order to complete their education;

(2) dropout prevention programs which serve at-risk children and youth, including;

(3) the coordination of health and social services for such individuals if there is a likelihood that the provision of such services, including day care, drug and alcohol counseling, and mental health services, will improve the likelihood such individuals will complete their education;

(4) special programs to meet the unique academic needs of participating children and youth, including career and technical education, special education, career counseling, curriculum-based youth entrepreneurship education, and assistance in securing student loans or grants for postsecondary education;

(5) programs providing mentoring and peer mediation;

(6) programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the local educational agency that are operated by the Secretary of the Interior or Indian tribes; and

(7) pay for success initiatives.

(b) Contracts And Grants.—A local educational agency may use a subgrant received under this subpart to carry out the activities described under paragraphs (1) through (7) of subsection (a) directly or through subgrants, contracts, or cooperative agreements.

Title II: Preparing, Training, And Recruiting High-Quality Teachers, Principals, Or Other School Leaders

Part A: Supporting Effective Instruction

Sec. 2103. Local Uses of Funds. 
(a) In General.—A local educational agency that receives a subgrant under section 2102 shall use the funds made available through the subgrant to develop, implement, and evaluate comprehensive programs and activities described in subsection (b), which may be carried out—

(1) through a grant or contract with a for-profit or nonprofit entity; or

(2) in partnership with an institution of higher education or an Indian tribe or tribal organization (as such terms are defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

(b) Types Of Activities.—The programs and activities described in this subsection—

(1) shall be in accordance with the purpose of this title;

(2) shall address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students; and

(3) may include, among other programs and activities—
(A) developing or improving a rigorous, transparent, and fair evaluation and support system for teachers, principals, or other school leaders that—

(i) is based in part on evidence of student achievement, which may include student growth; and

(ii) shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, or other school leaders;

(B) developing and implementing initiatives to assist in recruiting, hiring, and retaining effective teachers, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards, to improve within-district equity in the distribution of teachers, consistent with section 1111(g)(1)(B), such as initiatives that provide—

(i) expert help in screening candidates and enabling early hiring;

(ii) differential and incentive pay for teachers, principals, or other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems;

(iii) teacher, paraprofessional, principal, or other school leader advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths, and pay differentiation;

(iv) new teacher, principal, or other school leader induction and mentoring programs that are designed to—

(I) improve classroom instruction and student learning and achievement; and

(II) increase the retention of effective teachers, principals, or other school leaders;

(v) the development and

 provision of training for school leaders, coaches, mentors, and evaluators on how accurately to differentiate performance, provide useful feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

(vi) a system for auditing the quality of evaluation and support systems;

(C) recruiting qualified individuals from other fields to become teachers, principals, or other school leaders, including mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with records of academic distinction who demonstrate potential to become effective teachers, principals, or other school leaders;

(D) reducing class size to a level that is evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, to improve student achievement through the recruiting and hiring of additional effective teachers;

(E) providing high-quality, personalized professional development that is evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, for teachers, instructional leadership teams, principals, or other school leaders, that is focused on improving teaching and student learning and achievement, including supporting efforts to train teachers, principals, or other school leaders to—

(i) effectively integrate technology into curricula and instruction (including education about the harms of copyright piracy);
(ii) use data to improve student achievement and understand how to ensure individual student privacy is protected, as required under section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974') (20 U.S.C. 1232g) and State and local policies and laws in the use of such data;

(iii) effectively engage parents, families, and community partners, and coordinate services between school and community;

(iv) help all students develop the skills essential for learning readiness and academic success;

(v) develop policy with school, local educational agency, community, or State leaders; and

(vi) participate in opportunities for experiential learning through observation;

(F) developing programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities, and English learners, which may include the use of multi-tier systems of support and positive behavioral intervention and supports, so that such children with disabilities and English learners can meet the challenging State academic standards;

(G) providing programs and activities to increase—

(i) the knowledge base of teachers, principals, or other school leaders on instruction in the early grades and on strategies to measure whether young children are progressing; and

(ii) the ability of principals or other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school;

(H) providing training, technical assistance, and capacity-building in local educational agencies to assist teachers, principals, or other school leaders with selecting and implementing formative assessments, designing classroom-based assessments, and using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond, as appropriate;

(I) carrying out in-service training for school personnel in—

(i) the techniques and supports needed to help educators understand when and how to refer students affected by trauma, and children with, or at risk of, mental illness;

(ii) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community, where appropriate;

(iii) forming partnerships between school-based mental health programs and public or private mental health organizations; and

(iv) addressing issues related to school conditions for student learning, such as safety, peer interaction, drug and alcohol abuse, and chronic absenteeism;

(J) providing training to support the identification of students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as—
Title IV: 21st Century Schools

Part A: Student Support And Academic Enrichment Grants

Relevant definitions from Section 4102.

(5) DRUG AND VIOLENCE PREVENTION.—The term 'drug and violence prevention' means—

(A) with respect to drugs, prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence-based (to the extent a State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available); and

(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse, and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others.

(6) SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.—The term 'school-based mental health services provider' includes a State-licensed or State-certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide mental health services to children and adolescents.
SEC. 4103. FORMULA GRANTS TO STATES.

(c) State Plan.—

(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time and in such manner as the Secretary may reasonably require.

(2) CONTENTS.—Each plan submitted by a State under this section shall include the following:

(A) A description of how the State educational agency will use funds received under this subpart for State-level activities.

(B) A description of how the State educational agency will ensure that awards made to local educational agencies under this subpart are in amounts that are consistent with section 4105(a)(2).

(C) Assurances that the State educational agency will—

(i) review existing resources and programs across the State and will coordinate any new plans and resources under this subpart with such existing resources and programs;

(ii) monitor the implementation of activities under this subpart and provide technical assistance to local educational agencies in carrying out such activities; and

(iii) provide for equitable access for all students to the activities supported under this subpart, including aligning those activities with the requirements of other Federal laws.

SEC. 4104. STATE USE OF FUNDS.

(b) State Activities.—Each State that receives an allotment under section 4103 shall use the funds available under subsection (a)(3) for activities and programs designed to meet the purposes of this subpart, which may include—

(1) providing monitoring of, and training, technical assistance, and capacity building to, local educational agencies that receive an allotment under section 4105;

(2) identifying and eliminating State barriers to the coordination and integration of programs, initiatives, and funding streams that meet the purposes of this subpart, so that local educational agencies can better coordinate with other agencies, schools, and community-based services and programs; or...

(B) foster safe, healthy, supportive, and drug-free environments that support student academic achievement, as described in section 4108, which may include—

(i) coordinating with any local educational agencies or consortia of such agencies implementing a youth PROMISE plan to reduce exclusionary discipline, as described in section 4108(5)(F);

(ii) supporting local educational agencies to—

(I) implement mental health awareness training programs that are evidence-based (to the extent the State determines that such evidence is reasonably available) to provide education to school personnel regarding resources available in the community for students with mental illnesses and other relevant resources relating to mental health or the safe de-escalation of crisis situations involving a student with a mental illness; or

(II) expand access to or coordinate resources for school-based counseling and mental health programs, such as through school-based mental health services partnership programs;

(iii) providing local educational agencies with resources that are evidence-based (to the extent the State determines that such evidence is reasonably available) addressing ways to integrate health and safety practices into school or athletic programs; and
(iv) disseminating best practices and evaluating program outcomes relating to any local educational agency activities to promote student safety and violence prevention through effective communication as described in section 4108(5)(C)(iv); and........

SEC. 4106. LOCAL EDUCATIONAL AGENCY APPLICATIONS.

(a) ELIGIBILITY.—To be eligible to receive an allocation under section 4105(a), a local educational agency shall—

(1) submit an application, which shall contain, at a minimum, the information described in subsection (e), to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require; and

(2) complete a needs assessment in accordance with subsection (d).

(b) CONSORTIUM.—If a local educational agency desires to carry out the activities described in this subpart in consortium with one or more surrounding local educational agencies as described in section 4105(a)(3), such local educational agencies shall submit a single application as required under subsection (a).

(c) CONSULTATION.—

(1) IN GENERAL.—A local educational agency, or consortium of such agencies, shall develop its application through consultation with parents, teachers, principals, other school leaders, specialized instructional support personnel, students, community-based organizations, local government representatives (which may include a local law enforcement agency, local juvenile court, local child welfare agency, or local public housing agency), Indian tribes or tribal organizations that may be located in the region served by the local educational agency (where applicable), charter school teachers, principals, and other school leaders (if such agency or consortium of such agencies supports charter schools), and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this subpart.

(2) CONTINUED CONSULTATION.—The local educational agency, or consortium of such agencies, shall engage in continued consultation with the entities described in paragraph (1) in order to improve the local activities in order to meet the purpose of this subpart and to coordinate such implementation with other related strategies, programs, and activities being conducted in the community.

(d) NEEDS ASSESSMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2) and prior to receiving an allocation under this subpart, a local educational agency or consortium of such agencies shall conduct a comprehensive needs assessment of the local educational agency or agencies proposed to be served under this subpart in order to examine needs for improvement of—

(A) access to, and opportunities for, a well-rounded education for all students;

(B) school conditions for student learning in order to create a healthy and safe school environment; and

(C) access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.

(2) EXCEPTION.—A local educational agency receiving an allocation under section 4105(a) in an amount that is less than $30,000 shall not be required to conduct a comprehensive needs assessment under paragraph (1).

(3) FREQUENCY OF NEEDS ASSESSMENT.—Each local educational agency, or consortium of local educational agencies, shall conduct the needs assessment described in paragraph (1) once every 3 years.

(e) CONTENTS OF LOCAL APPLICATION.—Each application submitted under this section by a local educational agency, or a consortium of such agencies, shall include the following:

(1) DESCRIPTIONS.—A description of the activities and programming that the local educational agency, or consortium of such agencies, will carry out under this subpart, including a description of—

(A) any partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities under this subpart;
(B) if applicable, how funds will be used for activities related to supporting well-rounded education under section 4107;

(C) if applicable, how funds will be used for activities related to supporting safe and healthy students under section 4108;

(D) if applicable, how funds will be used for activities related to supporting the effective use of technology in schools under section 4109; and

(E) the program objectives and intended outcomes for activities under this subpart, and how the local educational agency, or consortium of such agencies, will periodically evaluate the effectiveness of the activities carried out under this section based on such objectives and outcomes.

(2) ASSURANCES.—Each application shall include assurances that the local educational agency, or consortium of such agencies, will—

(A) prioritize the distribution of funds to schools served by the local educational agency, or consortium of such agencies, that—

(i) are among the schools with the greatest needs, as determined by such local educational agency, or consortium;

(ii) have the highest percentages or numbers of children counted under section 1124(c);

(iii) are identified for comprehensive support and improvement under section 1111(c)(4)(D)(i);

(iv) are implementing targeted support and improvement plans as described in section 1111(d)(2); or

(v) are identified as a persistently dangerous public elementary school or secondary school under section 8532;

(B) comply with section 8501 (regarding equitable participation by private school children and teachers);

(C) use not less than 20 percent of funds received under this subpart to support one or more of the activities authorized under section 4107;

(D) use not less than 20 percent of funds received under this subpart to support one or more activities authorized under section 4108;

(E) use a portion of funds received under this subpart to support one or more activities authorized under section 4109(a), including an assurance that the local educational agency, or consortium of local educational agencies, will comply with section 4109(b); and

(F) annually report to the State for inclusion in the report described in section 4104(a)(2) how funds are being used under this subpart to meet the requirements of subparagraphs (C) through (E).

(f) SPECIAL RULE.—Any local educational agency receiving an allocation under section 4105(a)(1) in an amount less than $30,000 shall be required to provide only one of the assurances described in subparagraphs (C), (D), and (E) of subsection (e) (2)....

SEC. 4108. ACTIVITIES TO SUPPORT SAFE AND HEALTHY STUDENTS.

Subject to section 4106(f), each local educational agency, or consortium of such agencies, that receives an allocation under section 4105(a) shall use a portion of such funds to develop, implement, and evaluate comprehensive programs and activities that—

(1) are coordinated with other schools and community-based services and programs;

(2) foster safe, healthy, supportive, and drug-free environments that support student academic achievement;

(3) promote the involvement of parents in the activity or program;

(4) may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities described in this section; and
(5) may include, among other programs and activities—

(A) drug and violence prevention activities and programs that are evidence-based (to the extent the State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available) including—

(i) programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes; and

(ii) professional development and training for school and specialized instructional support personnel and interested community members in prevention, education, early identification, intervention mentoring, recovery support services and, where appropriate, referral, as related to drug and violence prevention;

(B) in accordance with sections 4001 and 4111—

(i) school-based mental health services, including early identification of mental health symptoms, drug use, and violence, and appropriate referrals to direct individual or group counseling services, which may be provided by school-based mental health services providers; and

(ii) school-based mental health services partnership programs that—

(I) are conducted in partnership with a public or private mental health entity or health care entity; and

(II) provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school that are—

(aa) based on trauma-informed practices that are evidence-based (to the extent the State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available);

(bb) coordinated (where appropriate) with early intervening services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.); and

(cc) provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise;

(C) programs or activities that—

(i) integrate health and safety practices into school or athletic programs;

(ii) support a healthy, active lifestyle, including nutritional education and regular, structured physical education activities and programs, that may address chronic disease management with instruction led by school nurses, nurse practitioners, or other appropriate specialists or professionals to help maintain the well-being of students;

(iii) help prevent bullying and harassment;

(iv) improve instructional practices for developing relationship-building skills, such as effective communication, and improve safety through the recognition and prevention of coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment;

(v) provide mentoring and school counseling to all students, including children who are at risk of academic failure, dropping out of school, involvement in criminal or delinquent activities, or drug use and abuse;
(vi) establish or improve school dropout and re-entry programs; or
(vii) establish learning environments and enhance students’ effective learning skills that are essential for school readiness and academic success, such as by providing integrated systems of student and family supports;

(D) high-quality training for school personnel, including specialized instructional support personnel, related to—
(i) suicide prevention;
(ii) effective and trauma-informed practices in classroom management;
(iii) crisis management and conflict resolution techniques;
(iv) human trafficking (defined, for purposes of this subparagraph, as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102));
(v) school-based violence prevention strategies;
(vi) drug abuse prevention, including educating children facing substance abuse at home; and
(vii) bullying and harassment prevention;

(E) in accordance with sections 4001 and 4111, child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide—
(i) age-appropriate and developmentally-appropriate instruction for students in child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to safely report child sexual abuse; and
(ii) information to parents and guardians of students about child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to discuss child sexual abuse with a child;

(F) designing and implementing a locally-tailored plan to reduce exclusionary discipline practices in elementary and secondary schools that—
(i) is consistent with best practices;
(ii) includes strategies that are evidence-based (to the extent the State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available); and
(iii) is aligned with the long-term goal of prison reduction through opportunities, mentoring, intervention, support, and other education services, referred to as a ‘youth PROMISE plan’; or

(G) implementation of schoolwide positive behavioral interventions and supports, including through coordination with similar activities carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), in order to improve academic outcomes and school conditions for student learning;

(H) designating a site resource coordinator at a school or local educational agency to provide a variety of services, such as—
(i) establishing partnerships within the community to provide resources and support for schools;
(ii) ensuring that all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and
(iii) strengthening relationships between schools and communities; or

(I) pay for success initiatives aligned with the purposes of this section....
Part B: 21st Century Community Learning Centers

Under Section 4205, entities receiving funding can use the funds to carry out a broad array of activities that advance student academic achievement and support student success, including...

(11) programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement;

(12) drug and violence prevention programs and counseling programs....

Part F: National Activities; Subpart 2: Community Support For School Success

Relevant definitions from Section 4622.

(2) FULL-SERVICE COMMUNITY SCHOOL.—The term ‘full-service community school’ means a public elementary school or secondary school that—

(A) participates in a community-based effort to coordinate and integrate educational, developmental, family, health, and other comprehensive services through community-based organizations and public and private partnerships; and

(B) provides access to such services in school to students, families, and the community, such as access during the school year (including before- and after-school hours and weekends), as well as during the summer.

(3) PIPELINE SERVICES.—The term ‘pipeline services’ means a continuum of coordinated supports, services, and opportunities for children from birth through entry into and success in postsecondary education, and career attainment. Such services shall include, at a minimum, strategies to address through services or programs (including integrated student supports) the following:

(A) High-quality early childhood education programs.

(B) High-quality school and out-of-school-time programs and strategies.

(C) Support for a child’s transition to elementary school, from elementary school to middle school, from middle school to high school, and from high school into and through postsecondary education and into the workforce, including any comprehensive readiness assessment determined necessary.

(D) Family and community engagement and supports, which may include engaging or supporting families at school or at home.

(E) Activities that support postsecondary and workforce readiness, which may include job training, internship opportunities, and career counseling.

(F) Community-based support for students who have attended the schools in the area served by the pipeline, or students who are members of the community, facilitating their continued connection to the community and success in postsecondary education and the workforce.

(G) Social, health, nutrition, and mental health services and supports.

(H) Juvenile crime prevention and rehabilitation programs.

SEC. 4624. PROMISE NEIGHBORHOODS.

(a) APPLICATION REQUIREMENTS.—An eligible entity desiring a grant under this subpart for activities described in this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require, including, at a minimum, all of the following:

(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity—

(A) by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4); and

(B) that is supported by effective practices.

(2) A description of the neighborhood that the eligible entity will serve.

(3) Measurable annual objectives and outcomes for the grant, in accordance with the metrics described in subsection (h), for each year of the grant.
(4) An analysis of the needs and assets of the neighborhood identified in paragraph (1), including—

(A) the size and scope of the population affected;

(B) a description of the process through which the needs analysis was produced, including a description of how parents, families, and community members were engaged in such analysis;

(C) an analysis of community assets and collaborative efforts (including programs already provided from Federal and non-Federal sources) within, or accessible to, the neighborhood, including, at a minimum, early learning opportunities, family and student supports, local businesses, local educational agencies, and institutions of higher education;

(D) the steps that the eligible entity is taking, at the time of the application, to address the needs identified in the needs analysis; and

(E) any barriers the eligible entity, public agencies, and other community-based organizations have faced in meeting such needs.

(5) A description of—

(A) all information that the entity used to identify the pipeline services to be provided, which shall not include information that is more than 3 years old; and

(B) how the eligible entity will—

(i) collect data on children served by each pipeline service; and

(ii) increase the percentage of children served over time.

(6) A description of the process used to develop the application, including the involvement of family and community members.

(7) A description of how the pipeline services will facilitate the coordination of the following activities:

(A) Providing early learning opportunities for children, including by—

(i) providing opportunities for families to acquire the skills to promote early learning and child development; and

(ii) ensuring appropriate diagnostic assessments and referrals for children with disabilities and children aged 3 through 9 experiencing developmental delays, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), where applicable.

(B) Supporting, enhancing, operating, or expanding rigorous, comprehensive, effective educational improvements, which may include high-quality academic programs, expanded learning time, and programs and activities to prepare students for postsecondary education admissions and success.

(C) Supporting partnerships between schools and other community resources with an integrated focus on academics and other social, health, and familial supports.

(D) Providing social, health, nutrition, and mental health services and supports, for children, family members, and community members, which may include services provided within the school building.

(E) Supporting evidence-based programs that assist students through school transitions, which may include expanding access to postsecondary education courses and postsecondary education enrollment aid or guidance, and other supports for at-risk youth.

(8) A description of the strategies that will be used to provide pipeline services (including a description of which programs and services will be provided to children, family members, community members, and children within the neighborhood) to support the purpose described in section 4621(1).

(9) An explanation of the process the eligible entity will use to establish and maintain family and community engagement, including—

(A) involving representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this subpart for activities described in this section;

(B) the provision of strategies and practices to assist family and community members in actively supporting student achievement and child development;
(C) providing services for students, families, and communities within the school building; and

(D) collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with postsecondary education and workforce readiness,

(10) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services to provide for continuous program improvement and potential expansion.

(b) **Priority.**—In awarding grants for activities described in this section, the Secretary shall give priority to eligible entities that will use funds under subsection (d) for evidence-based activities, which, for purposes of this subsection, is defined as activities meeting the requirements of section 8101(21)(A)(i).

(c) **Memorandum of Understanding.**—As eligible entity shall, as part of the application described in subsection (a), submit a preliminary memorandum of understanding, signed by each partner entity or agency described in section 4622(1)(A)(3) (if applicable) and detailing each partner's financial, programmatic, and long-term commitment with respect to the strategies described in the application.

(d) **Uses of Funds.**—Each eligible entity that receives a grant under this subpart to carry out a program of activities described in this section shall use the grant funds to—

(1) support planning activities to develop and implement pipeline services;

(2) implement the pipeline services; and

(3) continuously evaluate the success of the program and improve the program based on data and outcomes.

(e) **Special Rules.**—

(1) **FUNDS FOR PIPELINE SERVICES.**—Each eligible entity that receives a grant under this subpart for activities described in this section shall, for the first year of the grant, use not less than 50 percent of the grant funds, and, for the second year of the grant, use not less than 25 percent of the grant funds, to carry out the activities described in subsection (d)(1).

(2) **OPERATIONAL FLEXIBILITY.**—Each eligible entity that operates a school in a neighborhood served by a grant program under this subpart for activities described in this section shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under subsection (a).

(3) **LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.**—Funds provided under this subpart for activities described in this section that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

(A) Assessments that provide rewards or sanctions for individual children or teachers.

(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

(f) **Report.**—Each eligible entity that receives a grant under this subpart for activities described in this section shall prepare and submit an annual report to the Secretary, which shall include—

(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of children accessing each support or service offered as part of the pipeline services; and

(2) information relating to the performance metrics described in subsection (h).

(g) **Publicly Available Data.**—Each eligible entity that receives a grant under this subpart for activities described in this section shall make publicly available, including through electronic means, the information described in subsection (f). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood served under the grant, and such information shall be a part of statewide longitudinal data systems.
SEC. 4625. FULL-SERVICE COMMUNITY SCHOOLS.

(a) Application.—An eligible entity that desires a grant under this subpart for activities described in this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The Secretary shall require that each such application include the following:

(1) A description of the eligible entity.

(2) A memorandum of understanding among all partner entities in the eligible entity that will assist the eligible entity to coordinate and provide pipeline services and that describes the roles the partner entities will assume.

(3) A description of the capacity of the eligible entity to coordinate and provide pipeline services at 2 or more full-service community schools.

(4) A comprehensive plan that includes descriptions of the following:

(A) The student, family, and school community to be served, including demographic information.

(B) A needs assessment that identifies the academic, physical, nonacademic, health, mental health, and other needs of students, families, and community residents.

(C) Annual measurable performance objectives and outcomes, including an increase in the number and percentage of families and students targeted for services each year of the program, in order to ensure that children are—

(i) prepared for kindergarten;

(ii) achieving academically; and

(iii) safe, healthy, and supported by engaged parents.

(D) Pipeline services, including existing and additional pipeline services, to be coordinated and provided by the eligible entity and its partner entities, including an explanation of—

(i) why such services have been selected;

(ii) how such services will improve student academic achievement; and

(iii) how such services will address the annual measurable performance objectives and outcomes established under subparagraph (C).

(E) Plans to ensure that each full-service community school site has a full-time coordinator of pipeline services at such school, including a description of the applicable funding sources, plans for professional development for the personnel managing, coordinating, or delivering pipeline services, and plans for joint utilization and management of school facilities.

(F) Plans for annual evaluation based upon attainment of the performance objectives and outcomes described in subparagraph (C).

(G) Plans for sustaining the programs and services described in this subsection after the grant period.

(b) Priority.—In awarding grants under this subpart for activities described in this section, the Secretary shall give priority to eligible entities that—

(1) (A) will serve a minimum of 2 or more full-service community schools eligible for a schoolwide program under section 1114(b), as part of a community- or district-wide strategy; or

(B) include a local educational agency that satisfies the requirements of—

(i) subparagraph (A), (B), or (C) of section 5211(b)(1); or

(ii) subparagraphs (A) and (B) of section 5221(b)(1);

(2) are consortiums comprised of a broad representation of stakeholders or consortiums demonstrating a history of effectiveness; and

(3) will use funds for evidence-based activities described in subsection (e), defined for purposes of this paragraph as activities meeting the requirements of section 8101(21)(A)(i).
(c) Planning.—The Secretary may authorize an eligible entity receiving a grant under this subpart for activities described in this section to use not more than 10 percent of the total amount of grant funds for planning purposes during the first year of the grant.

(d) Minimum Amount.—The Secretary may not award a grant under this subpart for activities described in this section to an eligible entity in an amount that is less than $75,000 for each year of the grant period, subject to the availability of appropriations.

(e) Use Of Funds.—Grants awarded under this subpart for activities described in this section shall be used to—

1. coordinate not less than 3 existing pipeline services, as of the date of the grant award, and provide not less than 2 additional pipeline services, at 2 or more public elementary schools or secondary schools;

2. to the extent practicable, integrate multiple pipeline services into a comprehensive, coordinated continuum to achieve the annual measurable performance objectives and outcomes under subsection (a) (4)(C) to meet the holistic needs of children; and

3. if applicable, coordinate and integrate services provided by community-based organizations and government agencies with services provided by specialized instructional support personnel.

Subpart 3: National Activities For School Safety – Includes Project School Emergency Response To Violence (SERV)

SEC. 4631. NATIONAL ACTIVITIES FOR SCHOOL SAFETY.

(a) Program Authorized.—

1. IN GENERAL.—From the funds reserved under section 4601(b)(1), the Secretary—

(A) shall use a portion of such funds for the Project School Emergency Response to Violence program (in this section referred to as "Project SERV"), in order to provide education-related services to eligible entities; and

(B) may use a portion of such funds to carry out other activities to improve students’ safety and well-being, during and after the school day, under this section directly or through grants, contracts, or cooperative agreements with public or private entities or individuals, or other Federal agencies, such as providing technical assistance to States and local educational agencies carrying out activities under this section or conducting a national evaluation.

2. Availability.—Amounts reserved under section 4601(b)(1) for Project SERV are authorized to remain available until expended for Project SERV.

(b) Project SERV.—

1. Additional Use Of Funds.—Funds made available under subsection (a) for extended services grants under Project SERV may be used by an eligible entity to initiate or strengthen violence prevention activities as part of the activities designed to restore the learning environment that was disrupted by the violent or traumatic crisis in response to which the grant was awarded.

2. Application Process.—

(A) In General.—An eligible entity desiring to use a portion of extended services grant funds under Project SERV to initiate or strengthen a violence prevention activity shall—

(i) submit, in an application that meets all requirements of the Secretary for Project SERV, the information described in subparagraph (B); or

(ii) in the case of an eligible entity that has already received an extended services grant under Project SERV, submit an addition to the original application that includes the information described in subparagraph (B).

(B) Application Requirements.—An application, or addition to an application, for an extended services grant pursuant to subparagraph (A) shall include the following:
(i) A demonstration of the need for funds due to a continued disruption or a substantial risk of disruption to the learning environment.

(ii) An explanation of the proposed activities that are designed to restore and preserve the learning environment.

(iii) A budget and budget narrative for the proposed activities.

Title V: State Innovation and Local Flexibility

Part A: Funding Transferability For State And Local Educational Agencies

SEC. 5102. PURPOSE.

The purpose of this part is to allow States and local educational agencies the flexibility to target Federal funds to the programs and activities that most effectively address the unique needs of States and localities.

SEC. 5103. TRANSFERABILITY OF FUNDS.

(a) TRANSFERS BY STATES.—

(1) IN GENERAL.—In accordance with this part, a State may transfer all, or any lesser amount, of State funds (including funds transferred under paragraph (2)) allotted to the State for use for State-level activities under the following provisions for a fiscal year to one or more of the State’s allotments for such fiscal year under any other of such provisions:

(A) Part A of title II.
(B) Part A of title IV.
(C) Section 4202(c)(3).

(2) ADDITIONAL FUNDS.—In accordance with this part, a State may transfer any funds allotted to the State under a provision listed in paragraph (1) for a fiscal year to its allotment under any other of the following provisions:

(A) Part A of title I.
(B) Part C of title I.
(C) Part D of title I.
(D) Part A of title III.
(E) Part B.

(b) TRANSFERS BY LOCAL EDUCATIONAL AGENCIES.—

(1) AUTHORITY TO TRANSFER FUNDS.—

(A) IN GENERAL.—In accordance with this part, a local educational agency may transfer all, or any lesser amount, of the funds allocated to it under each of the provisions listed in paragraph (2) for a fiscal year to one or more of its allocations for such fiscal year under any other provision listed in paragraph (2).

(B) ADDITIONAL FUNDS.—In accordance with this part, a local educational agency may transfer any funds allotted to such agency under a provision listed in paragraph (2) for a fiscal year to its allotment under any other of the following provisions:

(i) Part A of title I.
(ii) Part C of title I.
(iii) Part D of title I.
(iv) Part A of title III.
(v) Part B.

(2) APPLICABLE PROVISIONS.—A
local educational agency may transfer funds under subparagraph (A) or (B) of paragraph (1) from allocations made under each of the following provisions:

(A) Part A of title II.
(B) Part A of title IV.

(c) NO TRANSFER OF CERTAIN FUNDING.—A State or local educational agency may not transfer under this part to any other program any funds allotted or allocated to it for the following provisions:

(1) Part A of title I.
(2) Part C of title I.
(3) Part D of title I.
(4) Part A of title III.
(5) Part B.

Title VI: Indian, Native Hawaiian, And Alaska Native Education

Part C: Alaska Native Education

Under Section 6304, permissible activities under the program include...

(C) Early childhood and parenting education activities designed to improve the school readiness of Alaska Native children, including – (i) the development and operation of home visiting programs for Alaska Native preschool children to ensure the active involvement of parents in their children’s education from the earliest ages; (ii) training, education, and support, including in-home visitation, for parents and caregivers of Alaska Native children to improve parenting and caregiving skills (including skills relating to discipline and cognitive development… (iv) activities carried out under the Head Start Act; (v) programs for parents and their infants, from the prenatal period of the infant through age 3; (vi) early childhood education programs….

(F) Activities designed to enable Alaska Native students served under this part to meet the challenging State academic standards or increase the graduation rates of Alaska Native students, such as….

(iii) comprehensive school or community-based support services, including services that—

(I) address family instability and trauma; and

(II) improve conditions for learning at home, in the community, and at school….

(I) Strategies designed to increase the involvement of parents in their children’s education.

(J) Programs and strategies that increase connections between and among schools, families, and communities, including positive youth-adult relationships, to—

(i) promote the academic progress and positive development of Alaska Native children and youth; and

(ii) improve conditions for learning at home, in the community, and at school.

TITLE VII: Impact Aid

SEC. 7003. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

(b) BASIC SUPPORT PAYMENTS AND PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—

(1) BASIC SUPPORT PAYMENTS.—

(A) IN GENERAL.—From the amount appropriated under section 7014(b) for a fiscal year, the Secretary is authorized to make basic support payments to eligible local educational agencies with children described in subsection (a).
(B) ELIGIBILITY.—A local educational agency is eligible to receive a basic support payment under subparagraph (A) for a fiscal year with respect to a number of children determined under subsection (a)(1) only if the number of children so determined with respect to such agency amounts to the lesser of—

(i) at least 400 such children; or

(ii) a number of such children which equals at least 3 percent of the total number of children who were in average daily attendance, during such year, at the schools of such agency and for whom such agency provided free public education.

Title IX: Education For The Homeless And Other Laws

Part A: Homeless Children And Youths

SEC. 9101. STATEMENT OF POLICY. 12

Section 721 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431) is amended—

(1) in paragraph (2), by striking In any State and all that follows through will review and inserting In any State where compulsory residency requirements or other requirements, in laws, regulations, practices, or policies, may act as a barrier to the identification of, or the enrollment, attendance, or success in school of, homeless children and youths, the State educational agency and local educational agencies in the State will review....

SEC. 9102. GRANTS FOR STATE AND LOCAL ACTIVITIES.

Section 722 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432) is amended—

(1) by striking subsection (b) and inserting the following:

(b) GRANTS FROM ALLOTMENTS.—The Secretary shall make the grants to States from the allotments made under subsection (c)(1):—

(2) in subsection (d)—

(A) in paragraph (2)—

(i) by striking To provide and all that follows through that enable and inserting To provide services and activities to improve the identification of homeless children and youths (including preschool-aged homeless children) and enable; and

(ii) by striking or, if and inserting including, if;

(B) in paragraph (3), by striking designate and all that follows and inserting designate in the State educational agency an Office of the Coordinator for Education of Homeless Children and Youths that can sufficiently carry out the duties described for the Office in this subtitle in accordance with subsection (f); and

(C) by striking paragraph (5) and inserting the following:

(5) To develop and implement professional development programs for liaisons designated under subsection (g)(1)(J)(ii) and other local educational agency personnel—

(A) to improve their identification of homeless children and youths; and

(B) to heighten the awareness of the liaisons and personnel of, and their capacity to respond to, specific needs in the education of homeless children and youths....

(f) FUNCTIONS OF THE OFFICE OF THE COORDINATOR.—The Coordinator for Education of Homeless Children and Youths established in each State shall—

(1) gather and make publicly available reliable, valid, and comprehensive information on—

(A) the number of homeless children and youths identified in the State, which shall be posted annually on the State educational agency’s website;
(B) the nature and extent of the problems homeless children and youths have in gaining access to public preschool programs and to public elementary schools and secondary schools;

(C) the difficulties in identifying the special needs and barriers to the participation and achievement of such children and youths;

(D) any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties; and

(E) the success of the programs under this subtitle in identifying homeless children and youths and allowing such children and youths to enroll in, attend, and succeed in, school;

(2) develop and carry out the State plan described in subsection (g);

(3) collect data for and transmit to the Secretary, at such time and in such manner as the Secretary may reasonably require, a report containing information necessary to assess the educational needs of homeless children and youths within the State, including data necessary for the Secretary to fulfill the responsibilities under section 724(h);

(4) in order to improve the provision of comprehensive education and related services to homeless children and youths and their families, coordinate activities and collaborate with—

(A) educators, including teachers, special education personnel, administrators, and child development and preschool program personnel;

(B) providers of services to homeless children and youths and their families, including public and private child welfare and social services agencies, law enforcement agencies, juvenile and family courts, agencies providing mental health services, domestic violence agencies, child care providers, runaway and homeless youth centers, and providers of services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

(C) providers of emergency, transitional, and permanent housing to homeless children and youths, and their families, including public housing agencies, shelter operators, operators of transitional housing facilities, and providers of transitional living programs for homeless youths;

(D) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; and

(E) community organizations and groups representing homeless children and youths and their families;

(5) provide technical assistance to and conduct monitoring of local educational agencies in coordination with local educational agency liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of subsection (e)(3) and paragraphs (3) through (7) of subsection (g);

(6) provide professional development opportunities for local educational agency personnel and the local educational agency liaison designated under subsection (g)(1)(J)(ii) to assist such personnel and liaison in identifying and meeting the needs of homeless children and youths, and provide training on the definitions of terms related to homelessness specified in sections 103, 401, and 725 to the liaison; and

(7) respond to inquiries from parents and guardians of homeless children and youths, and (in the case of unaccompanied youths) such youths, to ensure that each child or youth who is the subject of such an inquiry receives the full protections and services provided by this subtitle.;

(5) by striking subsection (g) and inserting the following:

(g) State Plan.—

(1) IN GENERAL.—For any State desiring to receive a grant under this subtitle, the State educational agency shall submit to the Secretary a plan to provide for the education of homeless children and youths within the State. Such plan shall include the following:

(A) A description of how such children and youths are (or will be) given the opportunity to meet the same challenging State academic standards as all students are expected to meet.
(B) A description of the procedures the State educational agency will use to identify such children and youths in the State and to assess their needs.

(C) A description of procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths.

(D) A description of programs for school personnel (including liaisons designated under subparagraph (J)(ii), principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel) to heighten the awareness of such school personnel of the specific needs of homeless children and youths, including such children and youths who are runaway and homeless youths.

(E) A description of procedures that ensure that homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local nutrition programs.

(F) A description of procedures that ensure that—

(i) homeless children have access to public preschool programs, administered by the State educational agency or local educational agency, as provided to other children in the State;

(ii) youths described in section 725(2) and youths separated from public schools are identified and accorded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youths described in this clause from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies; and

(iii) homeless children and youths who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs, if such programs are available at the State and local levels.

(G) Strategies to address problems identified in the report provided to the Secretary under subsection (f)(3)....

(I) A demonstration that the State educational agency and local educational agencies in the State have developed, and shall review and revise, policies to remove barriers to the identification of homeless children and youths, and the enrollment and retention of homeless children and youths in schools in the State, including barriers to enrollment and retention due to outstanding fees or fines, or absences.

(J) Assurances that the following will be carried out:

(i) The State educational agency and local educational agencies in the State will adopt policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless.

(ii) The local educational agencies will designate an appropriate staff person, able to carry out the duties described in paragraph (6)(A), who may also be a coordinator for other Federal programs, as a local educational agency liaison for homeless children and youths....

(iv) The State and the local educational agencies in the State will adopt policies and practices to ensure participation by liaisons described in clause (ii) in professional development and other technical assistance activities provided pursuant to paragraphs (5) and (6) of subsection (f), as determined appropriate by the Office of the Coordinator.

(K) A description of how youths described in section 725(2) will receive assistance from counselors to advise such youths, and prepare and improve the readiness of such youths for college.
(2) COMPLIANCE.—

(A) IN GENERAL.—Each plan adopted under this subsection shall also describe how the State will ensure that local educational agencies in the State will comply with the requirements of paragraphs (3) through (7).

(B) COORDINATION.—Such plan shall indicate what technical assistance the State will furnish to local educational agencies and how compliance efforts will be coordinated with the local educational agency liaisons designated under paragraph (1)(J)(ii).

(3) LOCAL EDUCATIONAL AGENCY REQUIREMENTS.—

(A) IN GENERAL.—The local educational agency serving each child or youth to be assisted under this subtitle shall, according to the child’s or youth’s best interest…

(B) SCHOOL STABILITY.—In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall…

(ii) consider student-centered factors related to the child’s or youth’s best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child’s or youth’s parent or guardian or (in the case of an unaccompanied youth) the youth…

(5) COORDINATION.—

(A) IN GENERAL.—Each local educational agency serving homeless children and youths that receives assistance under this subtitle shall coordinate—

(i) the provision of services under this subtitle with local social services agencies and other agencies or entities providing services to homeless children and youths and their families, including services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); and

(ii) transportation, transfer of school records, and other interdistrict activities, with other local educational agencies.

(B) HOUSING ASSISTANCE.—If applicable, each State educational agency and local educational agency that receives assistance under this subtitle shall coordinate with State and local housing agencies responsible for developing the comprehensive housing affordability strategy described in section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705) to minimize educational disruption for children and youths who become homeless.

(C) COORDINATION PURPOSE.—The coordination required under subparagraphs (A) and (B) shall be designed to—

(i) ensure that all homeless children and youths are promptly identified;

(ii) ensure that all homeless children and youths have access to, and are in reasonable proximity to, available education and related support services; and

(iii) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness…

(6) LOCAL EDUCATIONAL AGENCY LIAISON.—

(A) DUTIES.—Each local educational agency liaison for homeless children and youths, designated under paragraph (1)(J) (ii), shall ensure that—

(i) homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies;

(ii) homeless children and youths are enrolled in, and have a full and equal opportunity to succeed in, schools of that local educational agency;
(iii) homeless families and homeless children and youths have access to and receive educational services for which such families, children, and youths are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act (42 U.S.C. 9831 et seq.), early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), and other preschool programs administered by the local educational agency;

(iv) homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;

(v) the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

(vi) public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths...

(ix) school personnel providing services under this subtitle receive professional development and other support...

(B) NOTICE.—State Coordinators established under subsection (d)(3) and local educational agencies shall inform school personnel, service providers, advocates working with homeless families, parents and guardians of homeless children and youths, and homeless children and youths of the duties of the local educational agency liaisons, and publish an annually updated list of the liaisons on the State educational agency’s website.

(C) LOCAL AND STATE COORDINATION.—Local educational agency liaisons for homeless children and youths shall, as a part of their duties, coordinate and collaborate with State Coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of paragraphs (1) and (3) of subsection (f).

(D) HOMELESS STATUS.—A local educational agency liaison designated under paragraph (1)(J)(ii) who receives training described in subsection (f)(6) may affirm, without further agency action by the Department of Housing and Urban Development, that a child or youth who is eligible for and participating in a program provided by the local educational agency, or the immediate family of such a child or youth, who meets the eligibility requirements of this Act for a program or service authorized under title IV, is eligible for such program or service.

(7) REVIEW AND REVISIONS.—

(A) IN GENERAL.—Each State educational agency and local educational agency that receives assistance under this subtitle shall review and revise any policies that may act as barriers to the identification of homeless children and youths or the enrollment of homeless children and youths in schools that are selected under paragraph (3)....
SEC. 9103. LOCAL EDUCATIONAL AGENCY SUBGRANTS.

(4) …DURATION OF GRANTS.—Subgrants made under this section shall be for terms of not to exceed 3 years.;

(2) in subsection (b), by adding at the end the following:

(6) An assurance that the local educational agency will collect and promptly provide data requested by the State Coordinator pursuant to paragraphs (1) and (3) of section 722(f).

(7) An assurance that the local educational agency will meet the requirements of section 722(g)(3);.

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking preschool, elementary, and secondary schools and inserting early childhood education and other preschool programs, elementary schools, and secondary schools;,

(ii) in subparagraph (A), by inserting identification, before enrollment;,

(iii) in subparagraph (B), by striking application — and all that follows and inserting application reflects coordination with other local and State agencies that serve homeless children and youths….

(G) The extent to which the local educational agency will use the subgrant to leverage resources, including by maximizing nonsubgrant funding for the position of the liaison described in section 722(g)(1)(J)(ii) and the provision of transportation….

(H) in paragraph (13), by inserting before the period at the end and parental mental health or substance abuse problems….
1 This guide was prepared by Joel Packer and Sunil Mansukhani, Principals at The Raben Group, on behalf of Futures Without Violence. If questions arise, please contact Mr. Mansukhani at smansukhani@rabengroup.com or 202-587-2864.

2 While there have been numerous versions of the ACEs study done, the original study focused on these categories of adverse childhood experiences: psychological, physical, or sexual abuse; violence against the mother; or living with household members who were substance abusers, mentally ill or suicidal, or ever imprisoned.


9 The level “authorized” by the statute is what Congress in passing ESSA believed to be the appropriate amount needed to carry out the program. The actual amount, also known as the “appropriated” amount, is subject to Congress’s decision at the time it passes a budget for the fiscal year (October 1 – September 30 of the following year). The appropriated amount can be above or below the authorized amount.

10 Many of the summaries for the “Purpose” section in this guide are taken, at least in part, from the Ranking Member of the Committee on Education and the Workforce’s Summary of ESSA.

11 In the interest of ensuring that this document does not get too lengthy, we are only including the relevant language in this Title without the accompanying context and requirements that would be needed to apply for grants.

12 This part of ESSA did not amend the Elementary and Secondary Education Act, but rather amended the McKinney-Vento Homeless Assistance Act. The language listed in the appendix for this part can be found in this document: <https://www.gpo.gov/fdsys/pkg/BILLS-114s1177enr/pdf/BILLS-114s1177enr.pdf>.
RELATED RESOURCES

Policy Solutions:

Safe, Healthy, and Ready to Learn: Policy Recommendations to Ensure Children Thrive in Supportive Communities Free from Violence and Trauma

Safe, Healthy, and Ready to Learn is a consensus report on children exposed to violence. It recommends exploring policy solutions to prevent and address childhood exposure to violence and trauma and help children, families, and communities heal and thrive. The report was developed in partnership with leaders from throughout the health, education, justice, and child development fields, with support from The California Endowment, Blue Shield of California Foundation, and the Lisa and John Pritzker Family Fund.

[Link to report]

Defending Childhood

Repeated exposure to trauma and violence can disrupt brain development and increase the risk of serious illness, psychological issues, and dangerous behavior later in life. The Defending Childhood Initiative, launched in 2010 in eight sites throughout the country, promotes safe and thriving communities by providing families with the essential services they need to break the cycle of violence.

[Link to initiative]

Health Care Policy and Payment Strategies to Improve Children’s Trauma Services

This guide explores policy change opportunities in current federal entitlement programs and suggests how states can advance insurance reform to improve the health care system response to children exposed to trauma and violence. It makes recommendations to improve child well-being, family stability and community health, and gives specific attention to youth in the juvenile justice system, in foster care, and who are homeless. Will be found when completed at:

[Link to guide]

Start Strong: Building Healthy Teen Relationships

A national program in 11 communities throughout the country aimed at promoting healthy relationships among 11 to 14-year-olds and identifying promising ways to prevent teen dating violence. The Start Strong website offers a wealth of information for community leaders, educators, parents, and advocates including testimonials, program tools and ideas, case studies, lessons learned, guides for crafting school policies, and more.

[Link to website]

Program Resources:

Promising Futures: Best Practices for Serving Children, Youth, and Parents Experiencing Domestic Violence

This a website designed to help advocates and organizations support children and parents facing domestic violence, which includes best practices, evaluation tools, and research-informed strategies to mitigate the negative effects of domestic abuse on a child and help break the cycle of violence.

[Link to website]

National Health Resource Center on Domestic Violence

Exposure to violence at an early age is linked to a host of health problems that can last into adulthood. FUTURES works with health care providers to identify and respond to children’s exposure to violence and trauma — advancing the early interventions in clinical settings that promote resiliency and help children heal. The website provides tools and resources for (1) adolescent health care providers to counsel their young patients about healthy relationships and to screen for and respond to dating violence; and (2) pediatric providers to address children’s exposure to violence and childhood trauma.

[Link to website]