

CHAPTER II—OFFICE OF ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF EDUCATION

<i>Part</i>		<i>Page</i>
200	Title I—Improving the academic achievement of the disadvantaged	441
206	Special educational programs for students whose families are engaged in migrant and other seasonal farmwork—High school equivalency program and college assistance migrant program	492
222	Impact aid programs	497
225	Credit enhancement for charter school facilities program	559
226	State charter school facilities incentive program ..	562
230	Troops-to-Teachers Program	566
237	Christa McAuliffe Fellowship Program	567
263	Indian Education Discretionary Grant Programs ...	571
270	Desegregation of public education	578
271	State Educational Agency Desegregation Program	580
272	Desegregation Assistance Center Program	583
280	Magnet Schools Assistance Program	586
299	General provisions	594

PART 200—TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

Subpart A—Improving Basic Programs Operated by Local Educational Agencies

STANDARDS AND ASSESSMENTS

- Sec.
200.1 State responsibilities for developing challenging academic standards.
200.2 State responsibilities for assessment.
200.3 Designing State Academic Assessment Systems.
200.4 State law exception.
200.5 Timeline for assessments.
200.6 Inclusion of all students.
200.7 Disaggregation of data.
200.8 Assessment reports.
200.9 Deferral of assessments.
200.10 Applicability of a State's academic assessments to private schools and private school students.

PARTICIPATION IN NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP)

- 200.11 Participation in NAEP.

STATE ACCOUNTABILITY SYSTEM

- 200.12 Single State accountability system.

ADEQUATE YEARLY PROGRESS (AYP)

- 200.13 Adequate yearly progress in general.
200.14 Components of Adequate Yearly Progress.
200.15 Timeline.
200.16 Starting points.
200.17 Intermediate goals.
200.18 Annual measurable objectives.
200.19 Other academic indicators.
200.20 Making adequate yearly progress.
200.21 Adequate yearly progress of a State.
200.22–200.24 [Reserved]

SCHOOLWIDE PROGRAMS

- 200.25 Schoolwide programs in general.
200.26 Core elements of a schoolwide program.
200.27 Development of a schoolwide program plan.
200.28 Schoolwide program components.
200.29 Consolidation of funds in a schoolwide program.

LEA AND SCHOOL IMPROVEMENT

- 200.30 Local review.
200.31 Opportunity to review school-level data.
200.32 Identification for school improvement.
200.33 Identification for corrective action.
200.34 Identification for restructuring.
200.35 Delay and removal.
200.36 Communication with parents.

- 200.37 Notice of identification for improvement, corrective action, or restructuring.

- 200.38 Information about action taken.
200.39 Responsibilities resulting from identification for school improvement.
200.40 Technical assistance.
200.41 School improvement plan.
200.42 Corrective action.
200.43 Restructuring.
200.44 Public school choice.
200.45 Supplemental educational services.
200.46 LEA responsibilities for supplemental educational services.
200.47 SEA responsibilities for supplemental educational services.
200.48 Funding for choice-related transportation and supplemental educational services.
200.49 SEA responsibilities for school improvement, corrective action, and restructuring.
200.50 SEA review of LEA progress.
200.51 Notice of SEA action.
200.52 LEA improvement.
200.53 LEA corrective action.
200.54 [Reserved]

QUALIFICATIONS OF TEACHERS AND PARAPROFESSIONALS

- 200.55 Qualifications of teachers.
200.56 Definition of "highly qualified teacher."
200.57 Plans to increase teacher quality.
200.58 Qualifications of paraprofessionals.
200.59 Duties of paraprofessionals.
200.60 Expenditures for professional development.
200.61 Parents' right to know.

PARTICIPATION OF ELIGIBLE CHILDREN IN PRIVATE SCHOOLS

- 200.62 Responsibilities for providing services to private school children.
200.63 Consultation.
200.64 Factors for determining equitable participation of private school children.
200.65 Determining equitable participation of teachers and families of participating private school children.
200.66 Requirements to ensure that funds do not benefit a private school.
200.67 Requirements concerning property, equipment, and supplies for the benefit of private school children.
200.68–200.69 [Reserved]

ALLOCATIONS TO LEAS

- 200.70 Allocation of funds to LEAs in general.
200.71 LEA eligibility.
200.72 Procedures for adjusting allocations determined by the Secretary to account for eligible LEAs not on the Census list.
200.73 Applicable hold-harmless provisions.

§ 200.1

- 200.74 Use of an alternative method to distribute grants to LEAs with fewer than 20,000 total residents.
- 200.75 Special procedures for allocating concentration grant funds in small States.
- 200.76 [Reserved]

PROCEDURES FOR THE WITHIN-DISTRICT ALLOCATION OF LEA PROGRAM FUNDS

- 200.77 Reservation of funds by an LEA.
- 200.78 Allocation of funds to school attendance areas and schools.

FISCAL REQUIREMENTS

- 200.79 Exclusion of supplemental State and local funds from supplement, not supplant and comparability determinations.

Subpart B—Even Start Family Literacy Programs

- 200.80 Migrant Education Even Start Program definition.

Subpart C—Migrant Education Program

- 200.81 Program definitions.
- 200.82 Use of program funds for unique program function costs.
- 200.83 Responsibilities of SEAs to implement projects through a comprehensive needs assessment and a comprehensive State plan for service delivery.
- 200.84 Responsibilities of SEAs for evaluating the effectiveness of the MEP.
- 200.85 Responsibilities of SEAs and operating agencies for improving services to migratory children.
- 200.86 Use of MEP funds in schoolwide projects.
- 200.87 Responsibilities for participation of children in private schools.
- 200.88 Exclusion of supplemental State and local funds from supplement, not supplant and comparability determinations.
- 200.89 [Reserved]

Subpart D—Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-Risk of Dropping Out

- 200.90 Program definitions.
- 200.91 SEA counts of eligible children.
- 200.92–200.99 [Reserved]

Subpart E—General Provisions

- 200.100 Reservation of funds for school improvement, State administration, and the State academic achievement awards program.
- 200.101–200.102 [Reserved]
- 200.103 Definitions.
- 200.104–200.109 [Reserved]

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Subpart A—Improving Basic Programs Operated by Local Educational Agencies

STANDARDS AND ASSESSMENTS

§ 200.1 State responsibilities for developing challenging academic standards.

(a) *Academic standards in general.* A State must develop challenging academic content and student academic achievement standards that will be used by the State, its local educational agencies (LEAs), and its schools to carry out subpart A of this part. These academic standards must—

(1) Be the same academic standards that the State applies to all public schools and public school students in the State, including the public schools and public school students served under subpart A of this part, except as provided in paragraph (d) of this section;

(2) Include the same knowledge, skills, and levels of achievement expected of all students; and

(3) Include at least mathematics, reading/language arts, and, beginning in the 2005–2006 school year, science, and may include other subjects determined by the State.

(b) *Academic content standards.* (1) The challenging academic content standards required under paragraph (a) of this section must—

(i) Specify what all students are expected to know and be able to do;

(ii) Contain coherent and rigorous content; and

(iii) Encourage the teaching of advanced skills.

(2) A State's academic content standards may—

(i) Be grade specific; or,

(ii) Cover more than one grade if grade-level content expectations are provided for each of grades 3 through 8.

(3) At the high school level, the academic content standards must define the knowledge and skills that all high school students are expected to know and be able to do in at least reading/

language arts, mathematics, and, beginning in the 2005-06 school year, science, irrespective of course titles or years completed.

(c) *Academic achievement standards.* (1) The challenging student academic achievement standards required under paragraph (a) of this section must—

(i) Be aligned with the State's academic content standards; and

(ii) Include the following components for each content area:

(A) Achievement levels that describe at least—

(1) Two levels of high achievement—proficient and advanced—that determine how well students are mastering the material in the State's academic content standards; and

(2) A third level of achievement—basic—to provide complete information about the progress of lower-achieving students toward mastering the proficient and advanced levels of achievement.

(B) Descriptions of the competencies associated with each achievement level.

(C) Assessment scores ("cut scores") that differentiate among the achievement levels as specified in paragraph (c)(1)(ii)(A) of this section, and a description of the rationale and procedures used to determine each achievement level.

(2) A State must develop academic achievement standards for every grade and subject assessed, even if the State's academic content standards cover more than one grade.

(3) With respect to academic achievement standards in science, a State must develop—

(i) Achievement levels and descriptions no later than the 2005-06 school year; and

(ii) Assessment scores ("cut scores") after the State has developed its science assessments but no later than the 2007-08 school year.

(d) *Alternate academic achievement standards.* For students under section 602(3) of the Individuals with Disabilities Education Act with the most significant cognitive disabilities who take an alternate assessment, a State may, through a documented and validated standards-setting process, define alter-

nate academic achievement standards, provided those standards—

(1) Are aligned with the State's academic content standards;

(2) Promote access to the general curriculum; and

(3) Reflect professional judgment of the highest achievement standards possible.

(e) *Subjects without standards.* If an LEA serves students under subpart A of this part in subjects for which a State has not developed academic standards, the State must describe in its State plan a strategy for ensuring that those students are taught the same knowledge and skills and held to the same expectations in those subjects as are all other students.

(f) *Other subjects with standards.* If a State has developed standards in other subjects for all students, the State must apply those standards to students participating under subpart A of this part.

(Authority: 20 U.S.C. 6311(b)(1))

(Approved by the Office of Management and Budget under control number 1810-0576)

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§ 200.2 State responsibilities for assessment.

(a)(1) Each State, in consultation with its LEAs, must implement a system of high-quality, yearly student academic assessments that includes, at a minimum, academic assessments in mathematics, reading/language arts and, beginning in the 2007-08 school year, science.

(2)(i) The State may also measure the achievement of students in other academic subjects in which the State has adopted challenging academic content and student academic achievement standards.

(ii) If a State has developed assessments in other subjects for all students, the State must include students participating under subpart A of this part in those assessments.

(b) The assessment system required under this section must meet the following requirements:

(1) Be the same assessment system used to measure the achievement of all