

Using Federal Education Legislation in Moving Toward a Comprehensive, Multifaceted, and Integrated Approach to Addressing Barriers to Learning (e.g., Creating a Cohesive System of Learning Supports)

***No Child Left Behind Act of 2001
(PL 107-110)***

This last reauthorization of the Elementary and Secondary Education Act continues to enable making the case for using a percentage of the allocated federal funds for enhancing how student/learning supports are coalesced. For example, under Title I (Improving The Academic Achievement of the Disadvantaged), the need for coordination and integration of student supports is highlighted in the statement of Purpose (Section 1001) # 11 which stresses “coordinating services under all parts of this title with each other, with other educational services, and, to the extent feasible, with other agencies providing services to youth, children, and families.” It is also underscored by the way school improvement is discussed (Section 1003) and in Part A, Section 1114 on schoolwide programs. Section 1114 (a) on use of funds for schoolwide programs indicates:

“(1) IN GENERAL- A local educational agency may consolidate and use funds under this part, together with other Federal, State, and local funds, in order to upgrade the entire educational program of a school that serves an eligible school attendance area in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families

(J) Coordination and integration of Federal, State, and local services and programs, including programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start, adult education, vocational and technical education, and job training.”

<http://www.ed.gov/policy/elsec/leg/esea02/pg2.html#sec1114>

The need is also implicit in Part C on migratory children, Part D on prevention and intervention programs for neglected, delinquent, or at-risk students, and Part F on comprehensive school reform, and Part H on dropout prevention, in Title IV 21st Century Schools, and so on.

Mechanisms for moving in this direction stem from the provisions for flexible use of funds, coordination of programs, and waivers detailed in Titles VI and IX.

<http://www.ed.gov/policy/elsec/leg/esea02/index.html>

***Individuals with Disabilities Education Improvement Act of 2004
Public Law No: 108-446***

Using IDEA funds to coalesce student/learning supports is emphasized in how Title I, Part B, Section 613 (Local Educational Agency Eligibility) discusses (f) Early Intervening Services:

“(1) IN GENERAL- A local educational agency may not use more than 15 percent of the amount such agency receives under this part for any fiscal year . . . , in combination with other amounts (which may include amounts other than education funds), to develop and implement coordinated, early intervening services, which may include interagency financing structures, for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade 3) who have not been identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment.

(2) ACTIVITIES- In implementing coordinated, early intervening services under this subsection, a local educational agency may carry out activities that include--

(A) professional development (which may be provided by entities other than local educational agencies) for teachers and other school staff to enable such personnel to deliver scientifically based academic instruction and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and

(B) providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.” ...

“(5) COORDINATION WITH ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965- Funds made available to carry out this subsection may be used to carry out coordinated, early intervening services aligned with activities funded by, and carried out under, the Elementary and Secondary Education Act of 1965 if such funds are used to supplement, and not supplant, funds made available under the Elementary and Secondary Education Act of 1965 for the activities and services assisted under this subsection.”

<http://www.ed.gov/about/offices/list/osep/index.html?src=mr>