

PUBLIC LAW 114-95 SEC. 1115. TARGETED ASSISTANCE SCHOOLS.

(a) IN GENERAL.—

In all schools selected to receive funds under section 1113(c) that are ineligible for a schoolwide program under section 1114, have not received a waiver under section 1114(a)(1)(B) to operate such a schoolwide program, or choose not to operate such a schoolwide program, a local educational agency serving such school **MAY** use funds received under this part only for programs that provide services to eligible children under subsection (c) identified as having the greatest need for special assistance.

(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 afterschool 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.

(c) ELIGIBLE CHILDREN.—

(1) ELIGIBLE POPULATION.—

(A) IN GENERAL.—The eligible population for services under this section is—

(i) children not older than age 21 who are entitled to a free public education through grade 12; and

(ii) children who are not yet at a grade level at which the local educational agency provides a free public education.

(B) ELIGIBLE CHILDREN FROM ELIGIBLE POPULATION.— From the population described in subparagraph (A), eligible children are children identified by the school as failing, or most at risk of failing, to meet the challenging State academic standards on the basis of multiple, educationally related, objective criteria established by the local educational agency and supplemented by the school, except that children from preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the local educational agency and supplemented by the school.

(2) CHILDREN INCLUDED.—

(A) IN GENERAL.—Children who are economically disadvantaged, children with disabilities, migrant children or English learners, are eligible for services under this part on the same basis as other children selected to receive services under this part.

(B) HEAD START AND PRESCHOOL CHILDREN.—A child who, at any time in the 2 years preceding the year for which the determination is made, participated in a Head Start program, the literacy program under subpart 2 of part B of title II, or in preschool services under this title, is eligible for services under this part.

(C) MIGRANT CHILDREN.—A child who, at any time in the 2 years preceding the year for which the determination is made, received services under part C is eligible for services under this part.

(D) NEGLECTED OR DELINQUENT CHILDREN.—A child in a local institution for neglected or delinquent children and youth or attending a community day program for such children is eligible for services under this part.

(E) HOMELESS CHILDREN.—A child who is homeless and attending any school served by the local educational agency is eligible for services under this part.

(3) SPECIAL RULE.—Funds received under this part **MAY NOT** be used to provide services that are otherwise required by law to be made available to children described in paragraph (2) but **MAY** be used to coordinate or supplement such services.

(d) INTEGRATION OF PROFESSIONAL DEVELOPMENT.—

To promote the integration of staff supported with funds under this part into the regular school program and overall school planning and improvement efforts, public school personnel who are paid with funds received under this part **MAY**—

(1) participate in general professional development and school planning activities; and

(2) assume limited duties that are assigned to similar personnel who are not so paid, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

(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.

(f) USE OF FUNDS FOR DUAL OR CONCURRENT ENROLLMENT PROGRAMS.—

A secondary school operating a targeted assistance program under this section **MAY** use funds received under this part to provide dual or concurrent enrollment program services described under section 1114(e) to eligible children under subsection (c)(1)(B) who are identified as having the greatest need for special assistance.

(g) PROHIBITION.—

Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to require a local educational agency or school to submit the results of a comprehensive needs assessment or plan under section 1114(b), or a program described in subsection (b), for review or approval by the Secretary.

(h) DELIVERY OF SERVICES.—

The services of a targeted assistance program under this section **MAY** be delivered by nonprofit or for-profit external providers with expertise in using evidence-based or other effective strategies to improve student achievement.