

CONGRESS OF THE UNITED STATES

HOUSE OF REPRESENTATIVES

COMMITTEE ON EDUCATION AND LABOR

2151 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, D.C. 20515

Aug. 11, 1981

To: Cong. A. Hawkins

From: Mr. John W. Smith

Re: Title I (Of ESEA) Revisions in the new Elementary and Secondary Education Program Consolidation and Improvement Act

The new act appears in the "Omnibus Budget Reconciliation Act of 1981".

The likely effect of the new bill on the operation of compensatory education programs currently receiving assistance under Title I of ESEA is as follows:

CURRENT LAW

REVISED LAW

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Primary focus on meeting the special educational needs of educationally deprived children from low income families</li> <li>2. Local Ed Agencies (LEA's) may target schools as well as areas</li> <li>3. Formerly targetted areas which no longer meet the criteria in the current year, can continue in the program</li> <li>4. LEA's may generally upgrade an entire school by operating a school-wide program</li> <li>5. Parent involvement provisions in local communities thru parent advisory councils</li> <li>6. Reduced paperwork requirements</li> </ol> | <ol style="list-style-type: none"> <li>1. Recognizes special education needs of low-income children; target assistance language is ambiguous and vague; monitoring and enforcement requirements absent.</li> <li>2. LEA's must only focus on areas</li> <li>3. No such authority for LEA's</li> <li>4. No such authority provided</li> <li>5. Eliminated</li> <li>6. Drops the number of reports school districts must make to the state each year.</li> </ol> |
|---|--|

No timetables for state evaluations and other record-keeping. Record-keeping is required however.

WILLIAM C. PATRICK, CALIF.  
 RICHARD M. ROBERTS, CALIF.  
 JAMES M. COCHRAN, TEX.  
 WALTER D. DICK, CALIF.  
 JAMES H. HANCOCK, N.Y.  
 BOB ROBERTS, N.C.  
 PAUL STONER, ILL.  
 GEORGE MILLER, CALIF.  
 ANDREW J. BRONK, PA.  
 TED STEAK, N.Y.  
 RICHARD ROBERTS, PA.  
 DONALD R. RYAN, N.J.  
 PATRICK J. PATRICK, N.Y.  
 PAT WILLIAMS, MONT.  
 WILLIAM R. ROYCE, CONN.  
 RAY MURPHY, CALIF.  
 MICHAEL DEBENER, ILL.  
 GEORGE R. BROWN, OHIO

JOHN H. ROBERTS, N.C.  
 JAMES H. HANCOCK, N.Y.  
 WILLIAM C. PATRICK, CALIF.  
 RICHARD M. ROBERTS, CALIF.  
 JAMES M. COCHRAN, TEX.  
 WALTER D. DICK, CALIF.  
 JAMES H. HANCOCK, N.Y.  
 BOB ROBERTS, N.C.  
 PAUL STONER, ILL.  
 GEORGE MILLER, CALIF.  
 ANDREW J. BRONK, PA.  
 TED STEAK, N.Y.  
 RICHARD ROBERTS, PA.  
 DONALD R. RYAN, N.J.  
 PATRICK J. PATRICK, N.Y.  
 PAT WILLIAMS, MONT.  
 WILLIAM R. ROYCE, CONN.  
 RAY MURPHY, CALIF.  
 MICHAEL DEBENER, ILL.  
 GEORGE R. BROWN, OHIO

CURRENT LAW

REVISED LAW

Excess cost provision: requires Title I funds to only pay for those educational costs of teaching disadvantaged children that exceeds a district's average per pupil expenditure

7. Repealed

Distribution of funds on an equitable basis (according to ranking) to schools

8. Repealed

Requirement of districts to provide the same services in Title I areas as in non-Title I areas

9. LEA's do not have to file comparability reports; only has to file a written assurance with the state.

Clear articulation of the responsibilities and limitation of the states and Federal government in overseeing the administration of Title I (re rulemaking, application approval, monitoring, auditing, and complaint resolution)

10. No clear articulation

The new bill will thus radically alter current law and allow to spend Federal money without the safeguards that exist in I now.

LEA'S  
Title I

Some additional factors concerning the Title's revision is follows:

CURRENT LAW

REVISED LAW

Allocations for Title I basic, incentive, and concentration grants; Title I allocations for migratory, handicapped, neglected and delinquent children in state programs

11. Would continue

Use Title I funds for instructional personnel, program design, equipment, and necessary construction.

12. Allowed

The work from which this copy was made did not include formal copyright notice. This work may be protected under Copyright Law (Title 17, U.S. Code), which governs reproduction, distribution, public display, and certain other uses of protected works. Uses may be allowed with permission from the rights holder, or if the copyright on the work has expired, or if the use is "fair use" or within another exemption. The user of this work is responsible for determining lawful uses.

13. Provisions to serve private school children: remedial classes in public schools; school districts must provide same services to private school children that they provide to public school children

13. Provisions would continue

14. Supplement, not supplant rules: prevents a district from using Title I funds in place of state or local dollars

14. Modified by removing requirements in current law for special state programs for the disadvantaged.

Enforcement is ambiguous. No role for the Secretary to monitor

### Federal Policy

The major problem area in the differences between the old law and the new law is the fact that the declaration of policy is radically dissimilar.

Section 101 of Title I specifically talks about meeting the needs of "educationally deprived children", while Part I of the new law talks about providing assistance but in the context of relieving the paper work burden of school administrators.

The old law is child-centered while the new law is more concerned about the institution of education and is therefore institution-centered.

Additionally Title I - now Part I - is no longer a Federal program since all the responsibility under Part I is given to the states and to state education agencies.

**The work from which this copy was made did not include a formal copyright notice. This work may be protected under U.S. Copyright Law (Title 17, U.S. Code), which governs reproduction, distribution, public display, and certain other uses of protected works. Uses may be allowed with permission from the rightsholder, or if the copyright on the work has expired, or if the use is "fair use" or within another exemption. The user of this work is responsible for determining lawful uses.**