



Title I at 50 A Retrospective

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Introduction

2015 marks the 50th anniversary of the Elementary and Secondary Education Act (ESEA), one of the most influential pieces of federal legislation in U.S. education policy. This anniversary also commemorates five decades of concerted federal effort to enhance educational achievement among underserved students. Title I of the original ESEA of 1965 made educational equity a federal priority by providing financial assistance to local education agencies serving children of low-income families. By the 1968–69 school year, Title I funding was assisting nearly 9 million children (McClure & Martin, 1969). In recent years, the policy’s scope has expanded to serve more than 21 million children and provide funds to more than 56,000 public schools with disadvantaged students (U.S. Department of Education, 2014).

Although ESEA’s commitment to helping the nation’s most vulnerable students through Title I has held steady for half a century now, Title I’s structure has changed over time in response to policy debates and education reform movements. In particular, the federal role in education has evolved along with ways to address educational inequities for underserved students.

The Federal Government’s Involvement in Title I Since 1965

“In recognition of the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local education agencies to support adequate educational programs, the Congress hereby declares it to be the policy of the United States to provide financial assistance...to local education agencies serving areas with concentrations of children from low income families to expand and improve their educational programs by various means...which contribute particularly to meeting the special educational needs of educationally deprived children.”

Elementary and Secondary Education Act of 1965 (Public Law 89-10)

The inauguration of Title I under the original ESEA of 1965 represented a significant turning point for the federal role in education. Historically, states and localities had authority over education, and the federal government got involved only when issues of vital national interest were at stake (Jennings, 2000). But, reflecting national concern in eliminating poverty, Title I laid the foundation for an ongoing federal role in education by making educational equity that kind of vital issue (ESEA, 1965; Goertz, 2001; Jennings, 2000; Kirst & Jung, 1991; Murphy, 1971; New York State Education Department, 2006/2009; Vinovskis, 1999). Moreover, the overarching goal of the original Title I, and all subsequent versions, was to improve the educational opportunities and outcomes of disadvantaged students (ESEA, 1965; Goertz, 2001; Jennings, 2000; Kirst & Jung, 1991; McClure & Martin, 1969; Murphy, 1971; New York State Education Department, 2006/2009; Vinovskis, 1999).

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During the past half century, the federal role in education has become increasingly visible and pronounced, expanding from providing financial support and holding districts and schools accountable for how they spent federal funds during the early years of Title I's history to inducing states to develop systems of aligned standards, assessments, and procedures for holding districts and schools accountable for academic outcomes during the past three decades.

Initiating Federal Financial Support (1965–68)

Title I grew out of a rising interest among federal lawmakers in providing large-scale federal aid to education, which had been relatively limited before 1965 (Jennings, 2000; Kirst & Jung, 1991; Murphy, 1971). Although President Kennedy attempted to expand federal aid to education when he took office in 1961, a variety of stakeholders resisted. Southerners believed that federal aid would lead to school integration, conservatives feared that federal dollars would undermine local control of elementary and secondary education, and proponents of Catholic schools and other private schools worried that their schools would not be eligible for federal funding (Jennings, 2000).

When Lyndon Johnson assumed the presidency in 1963, he created the Gardner Commission to tackle these obstacles and devise strategies to expand federal aid to schools (Jennings, 2000; Thomas & Brady, 2005). The Gardner Commission recommended tying federal funding

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to the administration's War on Poverty and framing aid to education as an instrument for addressing poverty's negative effects, which include diminished educational opportunities and poor academic performance among children from low-income backgrounds (Jennings, 2000; Thomas & Brady, 2005). The ESEA of 1965 subsequently established economically disadvantaged and "educationally deprived" students as the focus of federal education dollars under Title I—Financial Assistance to Local Educational Agencies for the Education of Children of Low-Income Families (ESEA, 1965). By designating a particular category of students who would receive federal financial support, the original Title I temporarily satisfied concerns about federal overreach in education while accomplishing the federal lawmakers' goal of expanding federal aid to education (Jennings, 2000; Murphy, 1971; Thomas & Brady, 2005). To further allay fears of federal intrusion, lawmakers added a provision to ESEA

declaring that the federal government could not "exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel, or over the selection of any instructional materials in any educational institution or school system" (ESEA of 1965, Public Law 89-10, Section 604).

Title I Legislative History

1960

1965—President Johnson signs into law the **Elementary and Secondary Education Act (ESEA) of 1965**, establishing the landmark Title I program to provide supplemental federal aid to local education agencies with high concentrations of students from low-income families in order to improve services for “educationally-deprived children.”

1966—The **Elementary and Secondary Education Amendments of 1966** add flexibility into funding formulas to benefit poorer states and broaden eligibility criteria to serve a greater numbers of students.

1968—The **Elementary and Secondary Education Amendments of 1967** create supports for Title I planning and evaluation efforts, including funding for federal program planning and evaluation activities, annual Title I program evaluations for congressional review, and annual reports to federal lawmakers on promising Title I-funded programs.

1970

1970—The **Elementary and Secondary Education Amendments of 1969** institute “supplement, not supplant” and “comparability” fiscal requirements under the “maintenance of effort” provisions (usually discussed in conjunction with the other two) in order to ensure that districts use Title I funding in addition to, rather than in place of, state and local revenues. The amendments also reiterate that Title I funding can only be used to improve services for “educationally deprived children” in districts with high concentrations of poverty.

1978—The **Education Amendments of 1978** establish a new Title I Concentration Grant funding formula to provide additional aid to districts that serve larger numbers or percentages of students from low-income families. The amendments also introduce flexibility allowing schools in which at least 75 percent of students qualify for Title I services to operate schoolwide programs with Title I funds, but only if their local education agency allocates supplemental matching funds using state and local resources.

1980

1981—The **Education Consolidation and Improvement Act (ECIA) of 1981** consolidates many federal education programs into a single block grant to states in a move to reduce federal involvement in education. It retains Title I as a separate program (renamed Chapter 1) with the same essential goals and structure, but it curtails Title I appropriations and regulatory requirements, reducing the number of students served.

1988—The **Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988** increase federal Title I appropriations and introduce state-supported accountability and “program improvement” requirements that call for district and state intervention in Title I programs that repeatedly show insufficient achievement gains among Title I-served students. The amendments also remove the local fund matching requirement for schoolwide programs, prompting a significant increase in implementation.

1990

1994—The **Improving America's Schools Act (IASA) of 1994** calls for states to develop reading and mathematics content standards and aligned assessments in at least three grade levels and to apply the same standards to Title I students as other students. Schools that repeatedly do not make “adequate yearly progress” (AYP) based on these measures must enter program improvement status and take formal steps to improve. IASA also establishes two new Title I funding formulas—the Targeted Grants and Education Finance Incentive Grants programs—and reduces the school poverty threshold for schoolwide programs to 50 percent.

2000

2002—The **No Child Left Behind Act (NCLB) of 2001** expands upon the IASA's standards-based reform provisions, requiring states to implement reading, mathematics, and science standards in all grades and to test all students annually in Grades 3–8 and once in high school using aligned assessments. It specifies parameters for state accountability systems to measure progress in helping all students and student subgroups reach the goal of universal grade-level proficiency by 2013–14, and it outlines consequences for Title I schools and districts that do not meet state-defined adequate yearly progress targets. NCLB also requires that all core content teachers meet state “highly-qualified teacher” (HQT) criteria and that states and districts take steps to ensure an equitable distribution of HQT and experienced teachers across high-/low-poverty and high-/low-minority schools.

2010

Holding Schools Accountable for Use of Federal Funds (1969–87)

Although policymakers, who were confident that providing additional financial resources to schools serving low-income students was the key to eliminating achievement gaps, greeted the enactment of Title I under ESEA enthusiastically, policy and capacity gaps that surfaced during the early years of its implementation soon tempered this initial excitement (Jennings, 2000; Murphy, 1971; Vinovskis, 1999). Ambiguities in the law led to widespread confusion about the program’s intended purpose and beneficiaries (Murphy, 1971; U.S. Department of Health, Education, and Welfare, 1970; Wargo, Tallmadge, Michaels, Lipe, & Morris, 1972). And given the lack of information about which types of educational services most effectively met disadvantaged students’ needs, Congress delegated choices about Title I spending and program design to local districts and schools (Jennings, 2000; Murphy, 1971; Vinovskis, 1999). Congress did reserve the federal government’s authority to establish “basic criteria” to guide state and local implementation of Title I, but responsibility for developing these guidelines fell to the U.S. Office of Education (USOE), which was not involved in crafting the law and had no prior experience creating program guidelines or administering a program of the size and scope of Title I. USOE also had limited staff to monitor states—which bore responsibility for monitoring districts—to make sure they were following federal law and guidelines (Murphy, 1971). The resultant local discretion, coupled with early confusion over the law’s intent, had several major consequences, which Ruby Martin and Phyllis McClure documented in *Title I of ESEA: Is It Helping Poor Children?* (McClure & Martin, 1969; New York State Education Department, 2006/2009; Vinovskis, 1999):

- Many schools made few (if any) adjustments to the educational services offered to low-income students.
- Districts often distributed federal aid disproportionately, awarding more funds to suburban than to urban schools.
- Some schools spent federal dollars on services for non-Title I students.

Perhaps as a result of these implementation problems, children receiving Title I services demonstrated minimal gains in academic achievement despite the influx of federal aid (Vinovskis, 1999).

Responding to concerns about stagnating academic outcomes and the misuse of federal aid, President Nixon heightened federal oversight of Title I under the 1970 reauthorization of ESEA by establishing new procedures to hold schools accountable for how they spent Title I dollars (ESEA, 1970; Robelen, 2005). Besides mandating a study of the distribution of Title I funds, the 1970 reauthorization of ESEA established Title I’s “comparability” and “supplement, not

supplant” requirements to make it clear to states and localities that federal aid was intended to provide supplemental funds to enhance educational opportunities for low-income students. The purpose of the “supplement, not supplant” requirement was to ensure that federal funds were used in addition to, and not in lieu of, state and local funds, preventing states and localities from using federal dollars to fund educational services that disadvantaged students should have received without federal aid. “Comparability” required that the services provided to Title I schools were comparable with those provided in non-Title I schools within a district. States and districts were then responsible for ensuring that all students had access to comparable services regardless of whether they attended high- or low-poverty schools (Jennings, 2000; Robelen, 2005).

To demonstrate compliance with these new fiscal accountability requirements, many Title I schools began or continued delivering Title I support through pull-out programs that regularly took Title I students out of their general education classrooms to receive specialized instruction and other services (Jennings, 2000; Wong, 2003). Although pull-out programs enabled educators to clearly demonstrate that they were only using Title I funds to serve eligible students, these programs’ subpar instruction and curricula detached from mainstream classroom instruction generally fell short of meeting disadvantaged students’ educational needs (Passow, 1992; Wong, 2003), aggravating concerns about whether federal aid to education was having the intended effect of improving educational opportunities and outcomes for disadvantaged students.

By 1980, federal regulations for demonstrating compliance with Title I’s fiscal accountability requirements were increasingly complex and burdensome, breeding frustration among Title I districts and educators (Jennings, 2000; Wong, 2003). President Reagan and other conservative policymakers who believed that the federal government should play a more limited role in education going forward responded to these sentiments in the 1981 reauthorization of ESEA by curtailing federal expenditures on Title I (which became known as Chapter 1) and by giving states and districts more discretion in their use of funds (Jennings, 2000). The following introduction to the 1981 reauthorization of ESEA, the Education Consolidation and Improvement Act (ECIA), highlights this new emphasis:

“A bill to consolidate and simplify the administration of Federal elementary and secondary education programs by the Elementary and Secondary Education Act of 1965, as amended, in order to eliminate unnecessary paperwork and undue Federal interference in our Nation’s schools, and for other purposes.”

Education Consolidation and Improvement Act of 1981 (Public Law 97-35)

Although the ECIA’s Title I provisions mainly altered the program’s financial accountability requirements, they also marked the first in a series of developments behind a reduced federal emphasis on how schools spent their Title I funds and an increased focus on whether the program provisions improved academic outcomes as intended (Jennings, 2000; New York State Education Department, 2006/2009).

Shift to Holding Schools Accountable for Academic Outcomes (1988–present)

In 1983, the publication of *A Nation at Risk* galvanized both policymakers' and the general public's interest in holding schools accountable for student achievement (Puma & Drury,

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2000). This report attributed U.S. economic decline to schools' failure to raise children's academic outcomes and pointed to the need to develop better ways to monitor and promote student performance (Birman et al., 2013; Jennings, 2000, p. 519; Puma & Drury, 2000). *A Nation at Risk* called for a more limited federal role in education, confining the federal government's involvement to supporting activities that states and localities lacked the capacity to handle. Even so, the report also prompted the development of standards-based accountability measures, which would ultimately pave the way for an even greater federal presence in education through Title I (Birman et al., 2013).

Although the federal government was looking to assume a less active role in education at the time, the release of *A Nation at Risk* renewed the sense of urgency concerning improving academic achievement and sparked numerous state-led reform efforts (Puma & Drury, 2000; Wong, 2003). With the 1988 reauthorization of ESEA, the federal government used Title I to require that states develop measures for tracking student performance (Jennings, 2000;

New York State Education Department, 2006/2009), mandating states and districts to annually identify Title I schools that did not demonstrate progress in improving student outcomes, and requiring that states and districts take steps to assist low-performing schools and students (Jennings, 2000; New York State Education Department, 2006/2009; Thomas & Brady, 2005). The statement of purpose for Title I under ESEA of 1988 exemplifies this heightened federal focus on improving student achievement:

“The purpose of assistance under this chapter is to improve the educational opportunities of educationally deprived children by helping such children succeed in the regular program of the local educational agency, attain grade-level proficiency, and improve achievement in basic and more advanced skills.”

Hawkins-Stafford School Improvement Amendments (Public Law 100-297)

The 1994 reauthorization of ESEA under President Clinton reflected an embrace of the standards-based reform movement that was developing across states (Thomas & Brady, 2005). It required states to develop academic content standards in reading and mathematics as well as aligned assessments for monitoring students' progress in achieving those standards.

The federal government's elevated role in defining and specifying educational standards is reflected in the following statement of purpose for Title I under ESEA of 1994:

“The purpose of this title is to enable schools to provide opportunities for children served to acquire the knowledge and skills contained in the challenging State content standards and to meet the challenging State performance standards developed for all children.”

Improving America's Schools Act of 1994 (Public Law 103-328)

Notably, the Improving America's Schools Act (IASA) required districts to apply the same performance standards to all students, regardless of whether they received services provided by Title I funds (Wong, 2003). This provision laid the foundation for promoting truly equitable student outcomes.

Although the 1994 reauthorization raised academic expectations for Title I students, national education studies throughout the 1990s showed that schools were still making very little progress in closing achievement gaps (Thomas & Brady, 2005). Thus, in 2001, President Bush introduced a more aggressive plan for addressing persisting educational inequities through ESEA. Centering on the law's stated national goal of helping all students reach grade-level proficiency by the end of the 2013–14 school year, the No Child Left Behind Act (NCLB) proposed additional new standards-based accountability requirements for states. These included:

- Developing and implementing academic standards in mathematics, reading, and science for all grade levels and using aligned assessments to test all students in Grades 3–8 and at least once in high school.
- Establishing “adequate yearly progress” (AYP) goals for student achievement that include benchmarks for the aggregate student enrollment of a school, district, or state as well as for disaggregated subgroups of students according to income, race, English language learner status, and special education status.
- Designating schools or districts that repeatedly fail to meet AYP performance targets for all or any given subgroup of students as in need of improvement and subjecting those identified for improvement to escalating sanctions and interventions.

Notably, NCLB required states to apply Title I's requirements for standards, assessment, and accountability designations to all schools and districts, not just those receiving Title I funds (although the law specified more stringent consequences for Title I-funded schools and districts identified for improvement). For the first time, federal lawmakers leveraged the promise of the federal Title I dollars that states and districts had come to rely on to induce sweeping changes to state and local education systems. Although these requirements have prompted significant debate among policymakers and educators along with cries of federal overreach, they remain tied to Title I's original and consistent goal of promoting equity in educational opportunity and outcomes.

Overview of Title I, Part A Statutory Funding Formulas

1. **Basic Grants (1965)**—allocated to eligible districts in proportion to the district's share of eligible students (i.e., primarily students from families living below the federal poverty line based on census data); districts are eligible to receive funds if they have at least 10 eligible students and their number of eligible students is more than 2 percent of their enrollment
2. **Concentration Grants (1978)**—uses a funding formula similar to the Basic Grants, but districts must have more than 6,500 or 15 percent of eligible students to receive funds
3. **Targeted Grants (1994)**—uses a weighted formula that allocates larger amounts per pupil to districts with higher numbers or percentages of eligible students; districts are eligible to receive these funds if they have at least 10 eligible students and their number of eligible students is at least 5 percent of their enrollment
4. **Education Finance Incentive Grants (1994)**—incorporates state-level factors to provide larger allocations per pupil to states that demonstrate greater fiscal effort (i.e., have higher per-pupil expenditures relative to their per capital income) and fiscal equity (i.e., less variation in per-pupil expenditures across districts in the state); districts are eligible to receive these funds if they have at least 10 eligible students and their number of eligible students is at least 5 percent of their enrollment

Addressing Inequities: How Title I Has Sought to Create a Level Playing Field for Disadvantaged Students

From its outset, Title I has affirmed a commitment to improving educational support for disadvantaged students, particularly those struggling academically, to help alleviate poverty's effects and place these students on equal footing with their more affluent peers. Below, the specific ways that Title I provisions have aimed to reduce inequities in educational resources (inputs) and academic achievement (outcomes) to enhance opportunities for disadvantaged students are explored, along with design and implementation issues that may have limited or undercut their equity aims.

Promoting Equity in Educational Resources

The excerpt cited at the beginning of this brief from Title I's Declaration of Policy in 1965 conceptualizes the policy problem that the Title I program is trying to address as twofold. First, students from low-income backgrounds present special educational needs that require additional resources and support relative to what other students receive. Second, districts with sizeable proportions of low-income students lack sufficient resources and support to meet these students' needs. To address both issues, Title I offers financial assistance to districts "serving areas with concentrations of children from low income families" so as to "expand and improve their educational programs by various means...which contribute particularly to meeting the special educational needs of educationally deprived children" (ESEA of 1965, Public Law 89-10, Section 201).

Note that Title I channels funding to districts and schools based on their "concentrations" of poverty to help districts believed to have greater poverty-related capacity challenges, whether due to the sheer volume of low-income students served or to more limited state and local resources where the tax base is lower or political clout less than in wealthier districts. Note too that instead of requiring

specific local uses or program designs for these funds, Title I gives districts the flexibility to design and implement “various means” of enhancing education programs that help meet the needs of low-achieving students from impoverished backgrounds. And, finally, note that Title I funds are intended to supplement state and local resources, serving to “expand or improve” upon local education programs, not fund basic programs. To promote resource parity, Title I relies on the following policy mechanisms: funding-allocation criteria that help target federal resources to the districts and schools most in need, state and local resource allocation requirements that ensure that federal funds provide supplemental instead of basic support (i.e., the “comparability” and “supplement, not supplant” requirements mentioned earlier as well as the “maintenance of effort” provision discussed below), and instructional staff qualifications that promote an equitable distribution of qualified teachers. The following sections elaborate on the nuances of these policy mechanisms and explore how these strategies have played out in practice.

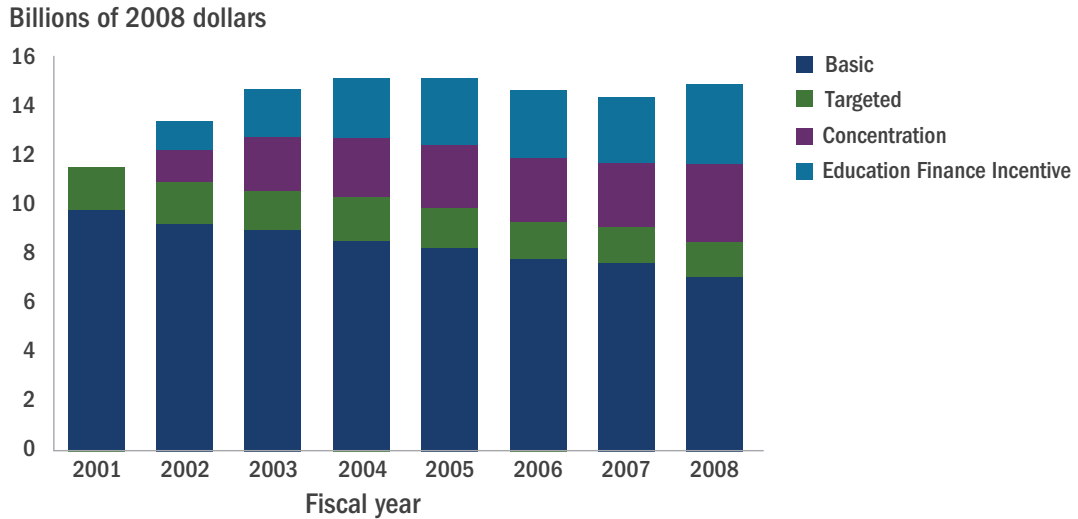
Targeting funds to the neediest districts and schools

Among Title I’s most fundamental policy mechanisms for addressing inequities in educational resources are criteria for allocating and targeting supplemental funds to districts and schools. Title I, Part A’s original and largest funding stream, the Basic Grant formula, was designed to serve districts with “concentrations” of poverty. However, to ensure the program’s political viability in Congress in 1965, lawmakers defined poverty “concentrations” broadly so that most U.S. districts would qualify to receive these new federal funds (New York State Education Department, 2006/2009). The Basic Grant’s eligibility criteria remain broad today—a district’s low-income population need represent only 2 percent of its total enrollment to qualify for funding—and in fiscal year (FY) 2008 that meant that 94 percent of U.S. school districts qualified (Miller, 2009).

Over time, Congress added new funding streams to funnel additional aid to districts serving higher proportions of low-income students. The Concentration Grant program, established under the Education Amendments of 1978, limits grant eligibility to districts with at least 15 percent of students living in poverty, and the Targeted Grants program, authorized under the Improving America’s Schools Act (IASA) of 1994, offers grants that increase with the district’s number or percentage of low-income students. IASA also established Title I, Part A’s fourth funding stream, the Education Finance Incentive Grants program, which allocates funds based on states’ level of fiscal effort and equity.

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Figure 1. Annual Federal Allocations for Title I, Part A Grants, by Formula, FY2001–FY2008



Title I's Targeted Grants and Education Finance Incentive Grants programs received their first congressional appropriations in 2002. An analysis of inflation-adjusted Title I, Part A, allocations, by formula, from FY2001 to FY2008 found that adding these funds increased the overall Title I, Part A, appropriations each year during this period (see Figure 1). As federal lawmakers gradually increased the appropriations for these two funding formulas, the inflation-adjusted allocations for the Basic Grant allocation declined, so these two more specialized funding streams accounted for a greater proportion of overall Title I, Part A funding over time. By FY2008, the combined allocations for the Targeted and Education Finance Incentive Grants programs nearly equaled the Basic Grant allocation (Miller, 2009).

Although each of the four Title I, Part A funding streams is formula based, several other factors that apply to all four funding formulas influence how much Title 1 districts ultimately receive. These factors include: (1) ratable reductions that adjust grant sizes to account for differences between Title I's authorized allocations and the amount of funding appropriated by Congress, (2) minimum state allocation requirements that provide larger allocations to small states, (3) a state per-pupil expenditure factor that adjusts for cost-of-education differences across states, (4) state set-aside amounts that reserve funds for state-level administrative costs and school improvement funding,¹ and (5) hold-harmless provisions that limit the amount of funds a district can lose from one year to the next as, for instance, the number of Title I-eligible students declines.²

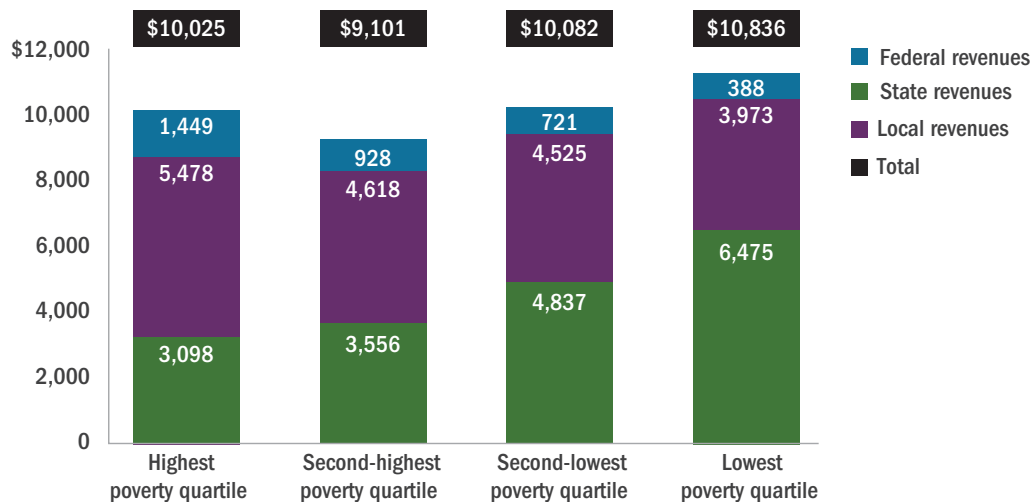
¹ Title I, Section 1003 of No Child Left Behind requires states to set aside 4 percent of their Title I, Part A funding for school improvement. States must allocate, either by formula or through a competitive process, 95 percent of those funds to districts with schools identified for improvement, corrective action, or restructuring.

² Other factors—including boundary changes, the creation of new districts, or the use of alternative data on poverty to make allocations (if approved by the Secretary of Education)—also may prompt states to adjust district allocations.

Once Title I funds are allocated to the local level, districts must distribute their allocation to schools based on their percentages of low-income students, giving preference to schools with the highest poverty rates. To be eligible to receive Title I funds, a school must have a poverty rate that is equal to at least 35 percent of the district average poverty rate, but districts may choose to restrict school eligibility to a higher poverty rate to concentrate Title I funds on their highest poverty schools. Districts also may choose to provide higher poverty schools with more funding per low-income student than lower poverty schools.

Analyses of Title I, Part A distribution patterns show the extent to which the four funding formulas are targeting funds to the nation’s neediest districts and schools. A study of Title I appropriations for the 2004–05 school year found that 93 percent of U.S. school districts received Title I, Part A funds that year, and that most of those resources flowed to districts with the highest concentrations of poverty. Moreover, Title I allocations per low-income student were 26 percent higher in the nation’s highest poverty districts than in its lowest poverty districts. However, as Figure 2 shows, even in combination with state and other federal funding sources, higher poverty districts’ Title I, Part A allocations fell short of counteracting the sizeable advantage that greater revenues confer on lower poverty districts; higher poverty districts had less overall revenue per pupil than their more affluent counterparts (Chambers et al., 2009).

Figure 2. Federal, State, and Local Revenues per Student, by District Poverty Quartile, 2004–05



Note: “Federal revenues” include funds that school districts received from any federal source, including federal programs outside the U.S. Department of Education, such as the National School Lunch Program.
Source: Chambers et al., 2009

The same study uncovered a notably less equitable distribution pattern when examining school-level Title I, Part A allocations: on average, the nation's highest poverty schools received less funding overall than medium- or low-poverty schools. A key reason was that the program's two-stage allocation process (with funds flowing first to eligible districts and then to schools within each district) meant that lower poverty districts tended to concentrate their Title I funds on schools that had high poverty rates for that district but low poverty rates when compared with Title I schools in other districts (Chambers et al., 2009).

Other studies of Title I distribution patterns have highlighted potential biases stemming from the Title I funding formulas' measures of poverty. For instance, a recent analysis underscored shortcomings in the formulas' ability to account for geographic differences in the cost of living, which influence what it means for a student to be living in poverty and how far a Title I dollar can go in paying for educational services. To more accurately reflect these differences, the researchers developed new district poverty rates based on local income levels for low-skilled workers and adjusted districts' Title I allocations to factor in regional differences in districts' purchasing power. Viewed this way, Title I funding formulas tended to shortchange urban districts and disproportionately advantage rural districts in low cost-of-living states (Baker, Taylor, Levin, Chambers, & Blankenship, 2013).

Requirements for state and local resource allocations

To ensure that districts use their Title I funds in addition to—rather than in place of—state and local resources, Title I instituted three fiscal requirements that hold districts accountable for maintaining particular spending and resource allocation practices to support Title I schools. Although the tests and procedures that state and federal monitors use to ensure compliance with these requirements have evolved somewhat since their inception, all three requirements remain in effect today.

Maintenance of Effort (1965): Title I's longest standing fiscal safeguard, its Maintenance of Effort (MOE) requirement, was designed to prevent precipitous drops in state and local resource spending in response to the influx of federal Title I funds. To satisfy the MOE requirement, districts must spend at least 90 percent of the state and local revenues that they spent in the prior year, or apply for an MOE waiver in cases where the district must reduce overall expenditures due to a natural disaster or sharp revenue decline. Although some policy advocates contend that the MOE is still necessary, its critics have argued that it is ineffective (allowing a district to, for example, halve its spending by annually reducing it by 10 percent over five years) and poses an unnecessary burden on districts that need to complete a waiver process when revenues decline (Edwards, 2013).

Supplement, Not Supplant (1970): One of two fiscal requirements added in 1970, Title I's Supplement, Not Supplant provisions dictate that services funded through Title I cannot be used to replace any services that low-income students would receive in the absence of Title I funding. To demonstrate compliance, school districts and schools must prove that each cost paid through Title I supports an activity that the district or school would not have otherwise used state or local funds to carry out. Despite the intent of the provisions, some policy advocates contend that their enforcement is overly burdensome and may inhibit districts from implementing innovative programs and services out of fear of violation (Junge & Krvaric, 2011).

Comparability (1970): Title I's comparability requirement is designed to minimize within-district disparities in the level of support provided to high- and low-poverty schools. Specifically, it requires districts to demonstrate that the services they provide to Title I schools compare with the services that non-Title I schools receive (before Title I funds are factored in). However, the comparability requirement is defined in terms of "services" rather than actual expenditures,³ so services can be considered comparable even if they differ significantly in cost or quality. For example, a district can demonstrate comparability of instructional staff if the student-instructional staff ratio at each of its Title I schools is no more than 110 percent of the average ratio among the district's non-Title I schools (U.S. Department of Education, 2011). With the quality or effectiveness of the instructional staff left out of the equation, districts can continue perpetuating longstanding and well-documented patterns of students in higher poverty schools receiving instruction from less qualified and experienced teachers (or instructional aides) than students in lower poverty schools (Clotfelter, Ladd, & Vigdor, 2005; Lankford, Loeb, & Wyckoff, 2002).

Ensuring staff qualifications

To reduce inequities in instructional staff resources, the NCLB reauthorization of Title I featured new provisions requiring states and districts to ensure that teachers and Title I-funded paraprofessionals (teacher aides) meet particular minimum qualification requirements. Specifically, all core academic classes must be taught by highly qualified teachers (HQTs) who have earned a bachelor's degree, obtained full state certification, and demonstrated competency in the subject matter. NCLB outlined parameters for how teachers could demonstrate subject-matter competency but also gave states flexibility in how they defined these parameters. New elementary teachers needed to pass a rigorous state-determined assessment in reading,

³ House and Senate bills to reauthorize NCLB have proposed tightening the current comparability requirements to require the use of per-pupil expenditures, including actual teacher salaries, to demonstrate comparability. An analysis of the impact that these proposed requirements would have on three districts in California found that, to comply, all three districts would need to redistribute teachers across schools. However, officials from the three districts raised concerns that not only would such redistributions prove difficult in light of teacher union contracts, but they also may create greater disparities in instructional staff resources because teacher salaries—which tend to largely reflect teachers' years of experience—are not strong proxies for teacher quality. That is, a teacher with 30 years of experience is not necessarily stronger than a less expensive teacher with five years of experience (Haxton, Brodziak de los Reyes, Chambers, Levin, & Cruz, 2012).

writing, mathematics, and other areas of the basic elementary curriculum. New secondary teachers needed to pass a state test in each subject they teach, complete an academic major or coursework equivalent, earn an advanced degree in their field of teaching, or acquire advanced certification. Teachers who were “not new to the profession” could fulfill the criteria that applied to new teachers or complete a state-developed High Objective Uniform State Standard of Evaluation (HOUSSE) process, which could give veteran teachers credit for their years of teaching experience and other accomplishments.

Analyses of the implementation of NCLB’s HQT requirements uncovered wide variation in how states defined the HQT parameters specified in NCLB, including what it meant to be “fully” state certified, which teacher assessments and cut scores were used, and what level of coursework was needed to be equivalent to a major. States’ HOUSSE procedures also varied widely in terms of the criteria used and the weight attached to various criteria (Birman et al., 2009; Loeb & Miller, 2006). From a national perspective, this variation implies that the minimum teacher qualifications that Title I provisions sought to guarantee were inequitable for students in different states. Furthermore, some of the criteria used in states’ HQT definitions were at best only weakly associated with improved student outcomes, raising questions about the extent to which HQT status could signal teachers’ effectiveness in promoting student achievement (Darling-Hammond & Youngs, 2002; Loeb & Miller, 2006). Still, some state officials credited Title I HQT provisions with helping their state adopt more rigorous teacher credentialing policies, phase out emergency certification options, and draw attention to teacher quality issues (Birman et al., 2009).

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rates than other students by unqualified, out-of-field, or inexperienced teachers.” It charged states with developing a plan for promoting and evaluating their progress in achieving such an equitable distribution of teachers, and it tasked districts with implementing effective strategies in pursuit of that goal. Although these requirements received little attention right after NCLB passed, they gained momentum four years later, in 2006, when the U.S. Department of Education required states to submit revised equity plans that featured analyses to identify inequities and a coherent set of strategies for redressing them. States’ approaches to these equity plans varied: some plans featured thoughtful, detailed analyses and identified strategies tailored to specific state and local needs while others contained more limited analyses or identified strategies with less clear connections to teacher equity needs.

States' approaches to using these equity plans have varied: some states periodically update their equity plans, but it is unclear if other states have made any revisions since 2006⁴ (The Education Trust, 2006; Partee, 2014).

Due to concerns over the quality of instructional support provided by teacher aides, Title I of NCLB also ratcheted up qualification requirements for Title I-funded paraprofessionals and outlined the types of duties that Title I paraprofessionals could perform in schools, restricting them from providing “instructional services” except when directly supervised by an HQT (Birman et al., 2009). An analysis of Title I spending patterns suggests that these requirements may have lowered Title I schools' reliance on teacher aides. For instance, in 1997–98, prior to NCLB, Title I funds were used to pay for a higher number of teacher aides than teachers (68,724 versus 66,002, respectively). However, by 2004–05, the number of full-time equivalent (FTE) teacher aides funded through Title I decreased by 10 percent (to 61,952), and the number of FTE teachers funded through Title I increased by 49 percent (to 98,206) (Chambers et al., 2009). Although instructional aides can play important roles in supporting teachers, students, and parents, overreliance on aides may lead schools to draw on these paraprofessionals to make instructional or curricular decisions best made by credentialed and highly qualified teachers (Chopra et al., 2004).

Promoting Equity in Educational Outcomes

Although Title I has always focused on improving educational outcomes among low-income students, the law initially featured few mechanisms for ensuring that states and districts were monitoring or taking steps to enhance Title I students' achievement. Districts had to submit annual evaluation reports to the state, but the metrics and quality of methods in these locally designed and implemented evaluations varied considerably (Wargo et al., 1972). Over time, federal lawmakers added provisions to Title I that more explicitly encouraged districts to monitor their programs' effectiveness in increasing student achievement. For example, the Education Amendments of 1978 required districts to use their local assessment results to inform improvements to their Title I programs but included no enforcement mechanisms, penalties, or incentives (Cohen & Moffitt, 2001).

Ten years later, in response to Title I programs' uneven success in improving student achievement, the Hawkins-Stafford Amendments of 1988 ushered in new requirements to hold schools, districts, and states accountable for ensuring

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⁴ In July 2014, as part of the federal Excellent Educators for All initiative, the U.S. Secretary of Education requested that states develop new comprehensive equity plans and submit them to the U.S. Department of Education by April 2015 for approval.

students' progress. The law required states and districts to define annual performance expectations, identify underperforming schools for program improvement, and intervene in program improvement schools to boost their performance (Millsap et al., 1992). These early accountability systems set the stage for Title I's standards-based accountability requirements, which Congress introduced in the subsequent IASA reauthorization of Title I and then significantly expanded under NCLB (Taylor, Stecher, O'Day, Naftel, & Le Floch, 2010). As a condition for receiving funds, Title I's standards-based accountability requirements called for states to implement several mechanisms designed to work together to support states, districts, and schools in identifying and redressing inequities in student outcomes. These mechanisms included academic standards and aligned assessments that provide a statewide basis for measuring student achievement, annual performance goals that define expectations for district and school progress, and targeted interventions and support to foster improvement in low-performing districts and schools.

Establishing statewide expectations for academic content and performance

To provide a coherent framework for measuring and evaluating student performance, Title I requires each state to establish (1) *academic content standards* that specify what students should know and be able to do in a particular grade level and content area, (2) *aligned assessments* that measure how well students are acquiring the knowledge and skills defined in the content standards, and (3) *academic performance standards* that specify how much of the knowledge and skills in the content standards students must acquire to demonstrate proficiency.

An important policy change took place when Title I of IASA initiated these requirements for aligned standards and assessments. Although Title I had previously allowed states to use different and less rigorous learning objectives and performance expectations for Title I students than for non-Title I students, IASA now required states to use the same standards for all students. This shift toward uniform statewide standards had strong equity implications. School systems now had to grant disadvantaged students access to the same academic content and help them achieve at the same level as other students (Hamilton, Stecher, & Yuan, 2008). The NCLB reauthorization of Title I took this equity commitment even further by requiring states to develop statewide reading, mathematics, and science standards in every grade level and to annually administer aligned assessments in each of Grades 3–8 and once in high school to all public school students (not just those served under Title I⁵). NCLB also requires that 95 percent of students take the states' reading and mathematics assessments, reflecting a federal effort to maximize students' inclusion in the assessment and accountability systems.

⁵ Under IASA, Title I technically only required states to apply academic standards and assessments to students served through Title I. However, if a state had established standards and assessments for non-Title I students, it was required to use these same standards and assessments for Title I students as well.

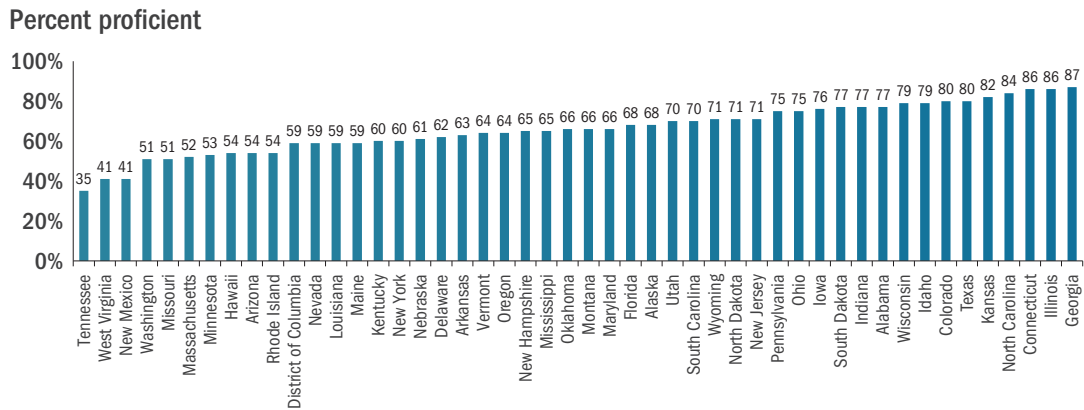
The standards and assessment systems required under Title I provide an infrastructure for guiding classroom instruction and measuring student achievement within each state. These achievement measures can supply important information to teachers and administrators to help them identify needs and focus their improvement efforts accordingly. Title I of NCLB also requires districts to provide parents with clear information about the performance of their children and their children's schools so that parents can make informed decisions about their children's education and advocate for school or system change. In addition, Title I requires schools, districts, and states to publish annual report cards to share information about their performance with the broader public, promoting more transparency concerning their successes and needs.

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However, the content standards, assessments, and grade-level performance standards that produce much of this performance information vary widely by state.⁶ A student considered proficient in one state might not be in another state, so assessment results cannot be compared across states (Linn, Baker, & Betebenner, 2005; Phillips, 2014; Taylor et al., 2010). And stakeholders can be hard pressed to fully understand the proficiency results generated through states' assessment systems because high proficiency rates might reflect low performance standards more than they reflect high levels of achievement (and vice versa). A recent AIR study that used international benchmarking to examine the variance in states' performance standards found large disparities in their level of rigor: the proficiency standards of the states with the highest and lowest performance standards differed by about two standard deviations, which in many testing systems would amount to about three to four grade levels. Perhaps not surprisingly, states with lower performance standards tended to have higher proportions of students scoring proficient. In fact, more than two thirds of the variation in states' percentages of students scoring proficient related to how high or low the states set their performance standards (Phillips, 2014). Figure 3 (published in the Phillips report) illustrates the vast differences found between states' percentages of students scoring proficient according to state-defined standards and the percentages of students scoring proficient based on internationally benchmarked Trends in International Mathematics and Science Study (TIMSS) standards in Grade 8 mathematics.

⁶ This variation in content standards diminished as many states (42 states and the District of Columbia, as of December 2014) adopted the Common Core State Standards.

Figure 3. Percent Proficient Based on State Performance Standard, Mathematics, Grade 8



Source: EdFacts, U.S. Department of Education, <http://www2.ed.gov/admins/lead/account/consolidated/index.html>.

Defining annual performance targets

To both motivate and measure progress in improving student outcomes, Title I requires states to establish definitions and targets for AYP performance goals. Title I of IASA first introduced AYP requirements in 1994, but NCLB further specified how states must define them. In another change from IASA, NCLB required states to apply AYP goals to all schools and districts, not just those served under Title I. Schools and districts that repeatedly miss their AYP goals become identified for improvement and face consequences, thus creating incentives for academic progress.

Title I of NCLB outlines five main criteria that states must factor into their definitions for AYP. Besides the percentages of students scoring proficient in mathematics and reading on state assessments, making AYP hinges upon whether at least 95 percent of students participated in the state mathematics and reading assessments each year. Last, states must incorporate at least one “other academic indicator” for schools at each level (elementary, middle, and high school), including graduation rates for high schools, as a fifth AYP criterion. To make AYP each year, schools and districts must meet performance targets for all five criteria, for all their students, and for each of eight federally specified subgroups of students (which include students from particular race/ethnicity groups, economically disadvantaged students, English language learners, and students with disabilities). NCLB added this emphasis on disaggregating AYP data by student subgroup to focus attention on diverse students’ needs and eradicating achievement gaps.

To set annual targets for making AYP, states established statewide annual measurable objectives (AMOs), which identify the minimum percentage of students required to meet or exceed the proficient level on mathematics and reading assessments in a given year. Although NCLB’s

overarching goal of helping 100 percent of students reach grade-level proficiency by the 2013–14 school year anchored the upper bound of states’ AMO setting, each state started with a different baseline. In addition, states had flexibility in determining the incremental amount of progress that districts and schools would need to make each year to reach that goal, and thus adopted varied approaches. As a result, the amount of improvement required in a given year leading up to the 2013–14 school year differed by state (Taylor et al., 2010).

To promote the validity and reliability of their AYP determinations, states can use various statistical controls,⁷ and they apply these safeguards in different ways, which can significantly affect the number of schools and districts designated as not making AYP and ultimately needing improvement. Although these safeguards may help states focus their improvement support and interventions on a smaller, more manageable number of low-performing schools and districts, they also may cause states to overlook low-performing schools or districts needing attention (Porter, Linn, & Thimble, 2005; Taylor et al., 2010).

Although Title I of NCLB and its accompanying federal guidance gave states discretion in several key areas when defining their AYP performance goals, it also specified key parameters for AYP that formed the basis of states’ approaches—which metrics they use, how they disaggregate subgroups, and so on. Some of these parameters sparked concerns that AYP practices may unintentionally weaken educational opportunities for low-income students by, for example, narrowing the curriculum or overemphasizing test-taking strategies in high-poverty schools to meet math-proficiency goals (Center on Education Policy, 2006; Darling-Hammond, 2007). Others worry that states have lowered expectations for students by inflating their percentages of students scoring proficient (Phillips, 2014). Still others have noted that AYP’s reliance on student proficiency over student growth measures makes it difficult to distinguish schools that are making gains but falling short of proficiency targets (Choi, Seltzer, Herman, & Yamachiro, 2007).

Intervening in low-performing schools and districts

To improve educational opportunities for students in schools and districts that repeatedly miss their performance targets, NCLB calls for states to identify these underperforming schools and districts for improvement and then target them with interventions and supports to stimulate progress. The law requires that a Title I school or district that does not make AYP for two consecutive years must enter into improvement status and face escalating consequences for each year that it remains in that status. To exit out of improvement status, the school or district must make AYP for two years in a row.

⁷ Such controls include minimum *n*-sizes to exclude subgroups with small sample sizes, confidence intervals to account for sampling or measuring error, guidelines to ensure that schools are held accountable only for students receiving instruction at the same school for a full academic year, and “safe harbor” policies to allow schools that miss an AYP target but increase their percentage of proficient students by at least 10 percent to make AYP overall (provided they make AYP for the other academic indicator and participation rate).

For Title I schools, the consequences for becoming identified for improvement include developing an improvement plan, offering students the option to attend another school in the district, and providing students with such supplemental education services (SES) as tutoring. Once schools hit the third year of improvement status, they must implement at least one “corrective action” from a list of six options specified in the law. Schools that continue not to make AYP after implementing a corrective action enter into the program’s “restructuring” phase and must implement one of five restructuring options designed to dramatically change the school’s operation. In practice, however, most states and districts have chosen not to impose the most intensive intervention options for corrective action and restructuring (Taylor, Stecher, O’Day, Naftel, & Le Floch, 2010). Much the same as for Title I schools, Title I districts identified for improvement must develop an improvement plan in their first year of improvement status and implement a corrective action in their third year.

Besides requiring improvement actions from Title I schools and districts identified for improvement, Title I of NCLB requires mechanisms to provide such schools and districts with external support for improvement. As chronically underperforming schools and districts may lack the internal capacity to identify and implement effective improvement strategies on their own, NCLB tasked states with establishing statewide systems of support for Title I schools and districts identified for improvement. These systems vary in design but often rely on school support teams, distinguished educators or principals, regional service centers, or other support providers that work directly with schools and districts, contributing external perspectives and expertise to their change process. State systems of support also may feature state-developed tools, frameworks, or processes to facilitate needs assessment and improvement planning (Redding & Walberg, 2008; Taylor, Stecher, O’Day, Naftel, & Le Floch, 2010). Although some states had prior experience providing school improvement support under IASA (Goertz & Duffy, 2001), other states did not, and many lacked the necessary staff, funding, and technological resources (Le Floch, Boyle, & Therriault, 2008). As increasing numbers of schools and districts were identified for improvement under NCLB, many states with heightened caseloads adopted tiered support systems that concentrate the most intensive assistance on schools in the latter stages of improvement or directed assistance to districts to enhance local capacity for supporting school improvement (Taylor, Stecher, O’Day, Naftel, & Le Floch, 2010).

Note about recent changes to Title I under the ESEA flexibility waivers¹

Although ESEA was due for reauthorization in 2007, the law has yet to be amended through the reauthorization process. However, many schools and districts have been operating under different regulations than those stipulated by NCLB due to the availability of ESEA flexibility waivers. In September 2011, the U.S. Department of Education (ED) offered state education agencies (SEAs) the opportunity to request flexibility vis-a-vis specific requirements of ESEA, as amended by NCLB. Some of the most notable requirements for which SEAs can obtain

flexibility include, among others, (1) annual measurable objectives in order to demonstrate adequate yearly progress, (2) school and/or district improvement identifications followed by corrective action or restructuring, (3) funding allocations for Title I schools, and (4) highly qualified teacher targets. In exchange for obtaining flexibility from these requirements, SEAs were required to provide ED with rigorous and comprehensive state-developed accountability systems designed to improve educational outcomes for all students, close achievement

¹ This brief does not include a lengthier discussion of the ESEA flexibility waivers due to its focus on documenting changes to ESEA that developed through formal reauthorizations.

States' development of external support systems—along with statewide standards, assessment, and accountability systems—under NCLB reflects the law's important assumption that extra financial resources alone are likely not enough to close the achievement gaps facing disadvantaged students. Rather, efforts to increase students' academic success can depend on such other factors as education stakeholders' access to quality information about student needs and progress, incentives to keep stakeholders motivated and focused on increasing student achievement, and effective improvement strategies and supports to build school and system capacity. Federal lawmakers sought to promote these factors for schools and districts by compelling states to establish standards-based accountability systems as a condition of receiving Title I funds. States' implementation of these systems has raised some questions, however, about their efficacy in yielding appropriate information, incentives, and improvement actions for accomplishing Title I's broader equity goals. Thus, although Title I may be making important in-roads in drawing attention to and facilitating diverse resources to promote educational equity, leveling the playing field for disadvantaged students remains a challenge.

Thus, although Title I may be making important in-roads in drawing attention to and facilitating diverse resources to promote educational equity, leveling the playing field for disadvantaged students remains a challenge.

Conclusion

As the nation commemorates the 50th anniversary of the Elementary and Secondary Education Act, policymakers should take stock of this significant law's history and evolution as well as its role through Title I in establishing educational equity as an issue of persistent national interest and laying the foundation for continuous federal involvement in education. Title I also was the first federal education policy dedicated to enhancing the educational achievement of underserved students. Although it has been a political football in debates over what the federal role in education should be and how best to address educational inequities for underserved students, for 50 years Title I has consistently reflected a commitment to helping the nation's most vulnerable students succeed.

gaps, increase equity, and improve instructional quality. They also were required to adopt college- and career-ready standards, and develop and implement new teacher and leader evaluation systems. A key element of the accountability systems is a comprehensive system of identification for Title I schools, including the identification of priority schools (defined as a state's lowest-achieving schools and schools with the lowest graduation rates) and focus schools (defined as schools with the most significant achievement or graduation rate gaps). SEAs must identify at least

5 percent of their Title I schools as priority schools and at least 10 percent of their Title I schools as focus schools. The purpose of this comprehensive system of identification was to affirm that Title I schools receive appropriate interventions and supports for improving student achievement. As of July 2015, 42 states, the District of Columbia, and Puerto Rico were approved for ESEA flexibility waivers and, with waiver renewals, may continue to operate under the revised requirements of these waivers pending a formal reauthorization of ESEA.

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