



*Great Public Schools for Every Child*

September 6, 2005

**Potential Federal Legislative and Administrative Action  
To Help Children, Educators, and Schools  
In the Wake of Hurricane Katrina**

To address the urgent needs of families left homeless by the hurricane, help school districts and communities that are taking in displaced families and students, and help rebuild schools and communities in Louisiana, Mississippi, and Alabama:

**Congressional Actions:**

- ?? Fund the urgent school construction/repairs program. Allow use of funds for the purchase of school buses and portable classrooms to help districts accepting displaced students. Provide grants to receiving districts to compensate them for increased fuel and other costs for busing new students.
- ?? Provide an emergency allocation for Title I, other No Child Left Behind programs, and IDEA for school districts taking in evacuated students. Base funding on the number of eligible children they take in.
- ?? Lift the red tape in the E-Rate program so funds can flow uninterrupted to schools and libraries. The current flow of funds will be interrupted December 31st.
- ?? Fully fund the School Counselors program. Give priority for funding to Louisiana, Mississippi, and Alabama followed by those states receiving evacuated students.
- ?? Allow victims of the hurricane to tap into their pensions or 401K's without penalty. Consider money withdrawn from pensions as non-taxable income.
- ?? Ensure that in-state Louisiana, Mississippi, and Alabama college students who attended schools no longer in existence or schools that will not function for this upcoming school year can pay in-state tuition for at least this school year at schools in other states. Also, expand the existing tuition assistance program currently available for residents of the District of Columbia to cover Louisiana, Mississippi, and Alabama residents.
- ?? Pass legislation to provide tax credits for school construction bonds to repair and rebuild school facilities. Distribute funding primarily to Louisiana, Mississippi, and Alabama for the first two or three years after enactment.

**Executive Branch Actions:**

- ?? Suspend sanctions under the No Child Left Behind Act in Louisiana, Mississippi, and Alabama and in school districts accepting evacuated students. Waive deadlines for highly qualified teachers and paraprofessionals in those states. Deem displaced teachers who were highly qualified in their home states as highly qualified in the states to which they have evacuated.
- ?? Waive the 15 percent maximum carry-over of Title I funds by a state/school district into the succeeding year for Alabama, Louisiana, and Mississippi, as those states will not be able to spend their funds in a timely manner.
- ?? Waive school meals rules to allow evacuated students to access breakfast and lunch.
- ?? Reach out to textbook companies, high-tech corporations, and others in the business community to donate textbooks and computers to schools.
- ?? Dispatch Emergency Response and Crisis Management teams (funded through the Department of Education's school safety office) to school districts receiving evacuee students, ensuring that these teams not only address students' mental health needs, but also perform evaluations for any student who had an Individualized Education Plan (IEP) in their home school. This will help implement provisions in IDEA '04 that ensure homeless children receive timely evaluations and services.

## NCLB PROVISIONS CONCERNING NATURAL DISASTERS

### State Plans and Assessments:

Sec. 1111(b)(3)(C)(vii) beginning not later than school year 2005-2006, measure the achievement of students against the challenging State academic content and student academic achievement standards in each of grades 3 through 8 in, at a minimum, mathematics, and reading or language arts, except that the Secretary may provide the State 1 additional year if the State demonstrates that exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State, prevented full implementation of the academic assessments by that deadline and that the State will complete implementation within the additional 1-year period;

Sec. 1111(b)(7) ACADEMIC ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY- Each State plan shall demonstrate that local educational agencies in the State will, beginning not later than school year 2002-2003, provide for an annual assessment of English proficiency (measuring students' oral language, reading, and writing skills in English) of all students with limited English proficiency in the schools served by the State educational agency, except that the Secretary may provide the State 1 additional year if the State demonstrates that exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State, prevented full implementation of this paragraph by that deadline and that the State will complete implementation within the additional 1-year period.

### State Academic Report Cards:

Sec. 1111(c)(1) the State educational agency will meet the requirements of subsection (h)(1) and, beginning with the 2002-2003 school year, will produce the annual State report cards described in such subsection, except that the Secretary may provide the State educational agency 1 additional year if the State educational agency demonstrates that exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State, prevented full implementation of this paragraph by that deadline and that the State will complete implementation within the additional 1-year period;

### Local Education Agency Report Cards:

Sec. 1111(h)(2)(A)(i) IN GENERAL- Not later than the beginning of the 2002-2003 school year, a local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card, except that the State educational agency may provide the local educational agency 1 additional year if the local educational agency demonstrates that exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the local educational agency, prevented full implementation of this paragraph by that deadline and that the local educational agency will complete implementation within the additional 1-year period.

#### School Improvement:

Sec. 1116(b)(7)(D) DELAY– Notwithstanding any other provision of this paragraph, the local educational agency may delay, for a period not to exceed 1 year, implementation of the requirements under paragraph (5), corrective action under this paragraph, or restructuring under paragraph (8) if the school makes adequate yearly progress for 1 year or if its failure to make adequate yearly progress is due to exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the local educational agency or school. No such period shall be taken into account in determining the number of consecutive years of failure to make adequate yearly progress.

#### LEA Corrective Action:

Sec.1116(c)(10) (F) DELAY– Notwithstanding subparagraph (B)(ii), a State educational agency may delay, for a period not to exceed 1 year, implementation of corrective action under this paragraph if the local educational agency makes adequate yearly progress for 1 year or its failure to make adequate yearly progress is due to exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the local educational agency. No such period shall be taken into account in determining the number of consecutive years of failure to make adequate yearly progress.