

The federal No Child Left Behind (NCLB) law requires Title I schools that haven't met state proficiency target goals for Adequate Yearly Progress (AYP) in the same subject (reading/language arts or math) for two years in a row to offer parents the option of transferring their children to other schools, with some exceptions. The following are questions and answers regarding public school choice under the categories of general information, parent notification, transportation, evaluating schools of choice and supplemental educational services.

GENERAL INFORMATION

When does a school have to offer public school choice?

Title I schools must offer public school choice by the beginning of the next school year after they have not made Adequate Yearly Progress (AYP) in the same subject (reading/language arts or math) for two years in a row. These Title I School Improvement schools must offer public school choice until they have made AYP in the subject that identified them for two consecutive years.

Can parents choose any school in the district when transferring their children from a Title I School Improvement school?

No. School districts determine which schools comprise the schools of choice. The federal law states that districts must provide parents with "reasonable" options, which is generally interpreted to mean at least two choices within the district, if two are available. A school district may not use lack of capacity (overcrowding) to deny students the option to transfer.

Which schools can be designated as schools of choice?

Public schools of choice must not be in Title I School Improvement or considered to be persistently dangerous.

Are all students eligible for the choice option?

All students enrolled in Title I School Improvement schools offering choice are eligible for public school choice. Students who are the lowest performing and in the highest poverty have first priority when considering: 1) their first choice of school transfer options; and 2) who receives free transportation first, if demand exceeds the funding cap.

How does a school district determine "priority?"

Giving priority to the lowest-achieving, disadvantaged students is required by the law. A school district can address this provision in several ways. For example, the district may address preferences expressed by parents for specific schools starting with the lowest-achieving children receiving free or reduced price lunch and rank-ordering within that group by achievement levels as indicated from state assessments. Students may not be rank-ordered by parent income.

Must parents accept a choice option?

Parents always have the option of declining a school choice and continuing at the original school.

Who pays for public school choice transportation?

School districts pay.

How does a parent request a school choice transfer?

Specific policies and procedures are set by individual school districts. Parents have a certain length of time from the date notified to decide whether to exercise the choice option(s). The school district looks at parent responses, determines final choice options and notifies parents. Parents then must communicate whether they accept the approved choice or want their child to remain at the original school.

Must Title I School Improvement schools offer the transfer option to kindergarten students and those new to the school?

These students are certainly eligible for choice. However, it's up to the district to determine its definition of "enrolled" students as to whether these students are offered choice. The U.S. Department of Education prefers these students be included in those offered choice options.

Are public school choice options always available when a school enters Title I School Improvement?

There may be instances when there are no choices available. All schools in a certain grade span might be in Title I School Improvement, there might be only one school in the district serving certain grades, or the rural or isolated nature of the district might prevent choice. In these cases, parents must be notified that their child's school is identified for Title I School Improvement and that the child is eligible for choice, but that no choices are available.

How long must students be allowed to attend the school of their choice?

If a student transfers to a choice school, the school district must permit the student to remain in that school until he or she has completed the highest grade in the school, if the family remains in the district. However, the school district is not obligated to provide transportation for the student after the end of the school year in which the original school is no longer identified for Title I School Improvement.

When is a school no longer considered a Title I School Improvement school?

To exit Improvement, schools must make AYP for two years in a row in the subject (reading or math) that designated them for Improvement. If a Title I school makes AYP in any one year after entering Title I School Improvement, it does not move to the next level of sanctions. But, if it then fails to make AYP the year after that, it moves to the next level of the sanctions. It is possible for a school to exit Title I School Improvement in one subject in the same year that it enters Improvement or continues to be in Improvement due to another subject. The chart below is an example of what a school's journey into and out of Title I School Improvement might look like.

| School Year | Title I School's AYP Status |
|-----------------------|---|
| By end of 2003-04 | School <i>doesn't make AYP in math</i> , but makes AYP in reading. |
| By the end of 2004-05 | School <i>doesn't make AYP in math</i> and reading. |
| Beginning of 2005-06 | School enters Title I School Improvement in math , and must offer public school choice. School is on watch list in reading. |
| By the end of 2005-06 | School makes AYP in reading and math. |
| Beginning of 2006-07 | School continues in Improvement and must offer public school choice, but sanctions don't escalate. |
| By the end of 2006-07 | School <i>doesn't make AYP in math</i> , but makes it in reading. |
| Beginning of 2006-07 | School must offer public school choice and supplemental educational services (SES) as sanctions advance. |
| By the end of 2006-07 | School makes AYP in math and reading. |
| Beginning of 2007-08 | School continues in Improvement and must offer public school choice and SES, but sanctions don't escalate. |
| By the end of 2007-08 | School makes AYP in math , but doesn't make AYP in reading. School exits Title I School Improvement in math, but is on watch list in reading. |

What is Adequate Yearly Progress?

AYP measures the yearly progress for each of 10 NCLB-defined student groups toward the NCLB goal of all students being at or above grade level (proficient) in reading and math by the end of the 2013-14 school year. The student groups are: 1) the School as a Whole (all students); 2) White; 3) Black; 4) Hispanic; 5) Native American; 6) Asian; 7) Multiracial; 8) Economically Disadvantaged students (students eligible for free or reduced-price lunch); 9) Limited English Proficient students; and 10) Students With Disabilities.

What happens to Title I schools that do not make Adequate Yearly Progress (AYP)?

Title I schools not making AYP in the same subject (reading or mathematics) for two years in a row are identified for Title I School Improvement. In the first and subsequent years of Title I School Improvement, schools must provide students with public school choice. (Districts participating in the Supplemental Educational Services [SES] pilot program with the U.S. Department of Education offer SES prior to public school choice.) In the second and subsequent years of Title I School Improvement, schools must offer tutoring services to economically disadvantaged students who choose not to transfer. In the third year of Title I School Improvement, schools must take corrective actions, such as replacing school staff, implementing new ways of teaching the curriculum, or changing the school's internal organization structure. In the fourth year of Title I School Improvement, schools must plan for restructuring. Schools in the fifth year of Title I School Improvement must implement the restructuring plan.

TITLE I SCHOOL IMPROVEMENT UNDER NO CHILD LEFT BEHIND (NCLB)

| After... | then... | and implements... |
|--|--|---|
| 1 year of not making Adequate Yearly Progress (AYP) in mathematics or reading/language arts, | the school addresses challenge areas, | no sanctions under NCLB. |
| 2 consecutive years of not making AYP in the same subject, | the school enters Year 1 of Title I Improvement at the beginning of the next school year | school choice* and receives technical assistance. |
| 3 years of not making AYP in the same subject, | the school enters Year 2 of Title I Improvement at the beginning of the next school year | school choice, supplemental educational services and receives technical assistance. |
| 4 years of not making AYP in the same subject, | the school enters Year 3 of Title I Improvement at the beginning of the next school year | school choice, supplemental educational services, corrective action and receives technical assistance. |
| 5 years of not making AYP in the same subject, | the school enters Year 4 of Title I Improvement at the beginning of the next school year | school choice, supplemental educational services, devises a plan for restructuring and receives technical assistance. |
| 6 years of not making AYP in the same subject, | the school enters Year 5 of Title I Improvement at the beginning of the next school year | school choice, supplemental educational services, restructuring and receives technical assistance. |

*Schools in districts in the SES Pilot Program offer supplemental educational services, not school choice, at this stage.

NOTES: Title I schools enter Improvement after two consecutive years of not making Adequate Yearly Progress (AYP) in the same subject (reading/language arts or mathematics). Title I schools exit Improvement after two consecutive years of making AYP in the subject that identified them for Improvement. If a school makes AYP in the identifying subject in any one year after entering Improvement, it does not move to the next level of sanctions in the next school year. For every year a school in Improvement does not make AYP in the identifying subject, it moves to the next level of sanctions. It is possible for a school to exit Improvement for one subject, while entering into or remaining in Improvement based on the other subject.

May districts prohibit students transferring to a school of choice the opportunity to play sports in their new school?

If there are district or state policies limiting interscholastic or extracurricular activities to transfer students in general, then the district may apply those policies to students who transfer under NCLB. Otherwise, students who transfer to a choice school under NCLB are enrolled in classes and other activities in the same manner as all other children at that public school.

Will special services, such as those for students with disabilities or limited English proficient students, be available to students transferring to a school of choice?

Services, including those for students with disabilities and limited English proficient students, must be made available to the student in the school of choice. School choices, however, may not be the same for those

students as for those in other groups at the Title I School Improvement school in order to best serve students' needs.

PARENT NOTIFICATION

When must a school district notify parents that their children are eligible for public school choice?

A school district must notify parents that a school has entered Title I School Improvement status and must offer public school choice before the first day of school the next year and in such a manner that allows for reasonable time for parents to make informed decisions.

How must a school district notify parents that their children are eligible for public school choice?

Notification must be in a comprehensive, easy-to-understand format, and, if possible, in a language the parents can understand. At a minimum, this notification must:

- Inform parents that their child is eligible to attend another public school due to the less than adequate performance of their current school;
- Identify each public school that the parent may select;
- Explain why the choices made available to them may have been limited; and
- Describe the performance and quality of those schools of choice.

How can parents and others find out their school's AYP and ABCs status?

ABCs and AYP results are posted on the Web by school district at <http://abcs.ncpublicschools.org/abcs/>. In addition, The North Carolina School Report Cards, available at <http://www.ncreportcards.org/src/>, provide detailed information about school, district and state measures of academic achievement, teacher quality, school safety and other important measures of overall education quality.

How can parents and others find out if a school is in Title I School Improvement?

By law, school districts are required to promptly tell parents if their child's school is in need of improvement. In addition, Title I School Improvement schools are listed on the Web at <http://www.ncpublicschools.org/nclb/titleI/>.

TRANSPORTATION

How much must a school district pay to provide transportation related to choice?

The law establishes a joint funding mechanism for transportation and supplemental educational services. Unless a lesser amount is needed, a school district must spend up to an amount equal to 20 percent of its Title I, Part A allocation. A school district may, but is not required to, exceed this 20 percent if additional funds are needed. A school district could spend state or local funds also.

What transportation modes can be paid or reimbursed under choice?

School buses, public transportation, cabs and reimbursement to parents for mileage and related expenses and any other reasonable form of transportation are allowed.

EVALUATING PUBLIC SCHOOL CHOICE

How can parents evaluate the public schools of choice?

A public school of choice will be a school that is not in Title I School Improvement or considered to be persistently dangerous, but there are many other factors parents should consider when choosing a school. Parents should visit the school to see if it seems to be welcoming, respectful of children and adults, orderly, and

whether it displays high-quality student work. In addition, parents should answer the following questions for themselves when considering a school transfer:

- Do the principal and staff seem caring and professional?
- Are students spending a lot of time on the academic subjects - especially reading and mathematics?
- Are students actively engaged in learning?
- Are there opportunities for music, art and physical education?
- Are there adequate books and materials for all students?
- What are end-of-grade or end-of-course and other test results and how have they changed over time?
- How does the school address the needs of struggling students?
- What will the school do to help your child achieve at higher levels?

In addition, look at the school's report card on the Web at <http://www.ncreportcards.org/>. This site provides information to help answer many of the questions listed above, especially performance trends over time.

PUBLIC SCHOOL CHOICE AND SUPPLEMENTAL EDUCATIONAL SERVICES

What are supplemental educational services?

Supplemental educational services (SES) are academic or tutoring services offered during off-school hours to increase the academic achievement of economically disadvantaged students, particularly in the areas of reading, writing and math. The tutoring services are paid for by the districts and are free of charge to parents of participating students.

Which schools must offer supplemental educational services?

Title I School Improvement schools not making AYP for three or more years (two consecutive years to enter Title I School Improvement and an additional year) in the same subject (reading/language arts or math) must offer supplemental educational services (SES) to eligible students. This is true for all schools except for those in seven NC districts (Burke, Cumberland, Durham, Guilford, Northampton, Pitt and Moore), which are participating in a national pilot study where districts offer SES in the first year of sanctions instead of public school choice.

Can students at Title I School Improvement schools transfer to another public school and receive supplemental educational services?

No. When both options are available, parents may choose the transfer option or supplemental educational services, but not both.

Who is eligible for supplemental educational services?

Students at Title I schools who are qualified for the free or reduced-price lunch program and attend a Title I school that has not made AYP in the same subject for three or more years are eligible for SES, regardless of their academic performance.

For more information on Public School Choice, Adequate Yearly Progress, Supplemental Educational Services, Title I and other NCLB issues, access the Web at

<http://www.ncpublicschools.org/nclb>.