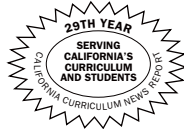




# CALIFORNIA CURRICULUM NEWS REPORT

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## No Child Left Behind Supplemental Services and Choice

### Parental Options Under No Child Left Behind: Public School Choice and Supplemental Educational Services

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Public school choice and supplemental educational services are two major options for parents under the No Child Left Behind Act of 2001 (NCLB). These options offer parents the means to improve educational opportunities for their children. In this article we will discuss details of these two parental options.

Both the public school choice provisions and supplemental educational services provisions apply to Title I schools

action intended to improve student academic performance. Each subsequent year that a PI school does not make AYP, it progresses from needing improvement to corrective action to restructuring. (See chart, page 6)

CDE provides annual notices to all Title I school districts about the year each PI school is in the PI sequence. PI schools in Year 1 are required to offer school choice. PI schools in Year 2 must continue to

ing America's Schools Act. Subsequently the federal appropriation law for fiscal year 2001 mandated that Title I schools identified for improvement must provide public school choice to the parents of enrolled students. NCLB takes public school choice a step further by linking it to a state's accountability system.

Specifically, the provisions apply to PI schools from Year 1 on. PI schools must allow the parents of enrolled students the option of transferring within the same LEA to another public school or charter school that has not been designated as in need of improvement, corrective action, or restructuring. If all public schools in the LEA to which a student may transfer are in PI, the LEA shall, to the extent practicable, establish a cooperative agreement with another LEA in the same geographic area. The Non-Regulatory Guidance of December 9, 2002 from the U. S. Department of Education excluded lack of enrollment capacity in other LEA schools as an "escape hatch" for not offering public school choice.

All students in a PI school are eligible for school choice. The law specifies that the LEA must give priority to the lowest achieving students from low-income families. The LEA determines which students are from low-income families based on the LEA's poverty criteria

#### Provisions of NCLB about Supplemental Educational Services

In the case of Title I-funded schools in the second or subsequent years of PI, LEAs are required to offer supplemental educational services to eligible low-income students enrolled in the school. This NCLB provision marks the first time that federal

that have been identified as needing improvement (also called "program improvement schools" in California) as specified under NCLB. The California Department of Education (CDE) is responsible for identifying Title I funded schools for program improvement (PI). The initial PI designation occurs after a school does not make Adequate Yearly Progress (AYP) for two consecutive years. Such schools enter a five-year ladder of progressive

offer school choice and must add supplemental educational services. PI schools in Year 3 and beyond must continue both school choice and supplemental educational services as well as meet other Title I PI requirements.

#### Provisions of NCLB about Public School Choice

Federal public school choice requirements related to low-performing Title I schools first appeared in the 1994 Improv-



law has included this type of mandatory requirement.

Supplemental educational services offer extra academic assistance for low-income students who are attending Title I schools in PI. These services must be of high quality, research-based, and specially designed to increase student academic achievement particularly in reading, language arts, and mathematics. Services may include tutoring, remediation, and academic intervention. Instruction must take place outside the regular school day, such as before or after school, during intercessions, on weekends, or during summer sessions.

NCLB allows for a variety of providers: public or private entities, educational agencies, public or private institutions of higher education, and nonprofit, for profit, or faith-based organizations. Providers must have a demonstrated record of effectiveness, be approved by the state education agency, and be selected by parents of eligible students. Unlike school choice where all the students enrolled in the school are eligible, only students from low-income families may receive supplemental educational services. The LEA determines the poverty criteria for low-income families.

In accordance with NCLB, the CDE established its initial list of providers, approved by the California State Board of Education (SBE), in June 2002. These providers served in the 2002-03

school year. For the 2003-04 school year, the SBE has approved 171 providers of supplemental educational services to date. Check <[www.cde.ca.gov/iasa/titleone/pi/ssp\\_search\\_all.asp?query=All](http://www.cde.ca.gov/iasa/titleone/pi/ssp_search_all.asp?query=All)>.

Potential providers may apply throughout the year as CDE accepts applications on an on-going basis. Applicants not meeting the rubric criteria receive technical assistance as needed.

### Funding for Public School Choice and Supplemental Educational Services

NCLB requires each LEA to set aside an amount equal to 20 percent of its Title I allocation to pay for transportation for public school choice and supplemental educational services, unless a lesser amount is needed. NCLB allows the funds to come from federal, state, or local sources as long as the dollar amount equals the 20 percent figure. Of this set-aside, 5 percent is earmarked for transportation for public school choice and 5 percent for the costs related to providing supplemental educational services. The remaining 10 percent can be used for either of these purposes.

Information about public school choice and supplemental educational services is available at the following CDE Web site: <[www.cde.ca.gov/pr/nclb/programs.html](http://www.cde.ca.gov/pr/nclb/programs.html)>.

Contact Anne just at 916/319-0420 or at <[ajust@cde.ca.gov](mailto:ajust@cde.ca.gov)>. ■

## NCLB Program Improvement Timeline

Number of Years School Does Not Make Adequate Yearly Progress (AYP)						
One	Two	Three	Four	Five	Six	Seven
Did Not Make AYP	Did Not Make AYP	Program Improvement		Corrective Action		Restructuring
		Year 1	Year 2	Year 3	Year 4	Year 5
		<ul style="list-style-type: none"> <li>School must revise school plan</li> <li>LEA provides technical assistance</li> <li>Use 10% of funds for staff professional development</li> <li>Offer choice to attend another public school in the LEA that is not PI (LEA is responsible for transportation costs)</li> </ul>	<p><b>Continue:</b></p> <ul style="list-style-type: none"> <li>LEA technical assistance</li> <li>Use 10% of funds for professional development</li> <li>School choice</li> </ul> <p><b>Add:</b></p> <ul style="list-style-type: none"> <li>Provide <i>supplemental services</i> to all eligible students and notify parents</li> </ul>	<p><b>Continue:</b></p> <ul style="list-style-type: none"> <li>LEA technical assistance</li> <li>School choice</li> <li>Supplemental services</li> </ul> <p><b>Add:</b></p> <p>LEA identifies school for <i>corrective action</i> and does at least ONE of the following:</p> <ul style="list-style-type: none"> <li>Replaces school staff</li> <li>Implements new curriculum</li> <li>Decreases management authority at school level</li> <li>Appoints outside expert</li> <li>Extends school year or day</li> <li>Restructures school</li> </ul> <p>LEA informs parents and public of corrective action and allows comment</p>	<p><b>Continue:</b></p> <ul style="list-style-type: none"> <li>LEA technical assistance</li> <li>School choice</li> <li>Supplemental services</li> </ul> <p><b>Add:</b></p> <p>LEA and site:</p> <ul style="list-style-type: none"> <li>Develop a plan for alternative school governance</li> <li>Provide notice to parents and teachers and allow comment</li> </ul>	<p><b>Implement Alternative Governance:</b></p> <ul style="list-style-type: none"> <li>Reopen school as a charter</li> <li>Replace all or most staff including principal</li> <li>Contract with outside entity to manage school</li> <li>State takeover</li> </ul>