Illinois State Board of Education

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Guidance Document 12-01

Public School Choice

This document is intended to provide non-regulatory guidance on the subject matter listed above. For specific questions, please contact the person(s) identified in the document.

Dr. Christopher Koch, State Superintendent

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Introduction

The purpose of this Guidance document is to provide school districts with information about the Public School Choice Letter as it is set forth in the public law and to assist school districts with submitting letters that contain the essential elements for approval to the Illinois State Board of Education.

This document contains the following items:

- Important general advice on the implementation of Public School Choice;
- Supplemental Regulations and General Information Regarding the Sample School Choice Parent Letter;
- Sample Public School Choice Letter for Schools in School Improvement Status;
- Suggested Contents for the Student Transfer Form;
- Checklist of the Essential Elements of the Public School Choice Parent Letter; and
- Excerpts from Public Law 107-110, Section 1116 (The No Child Left Behind Act of 2001 or NCLB).
General Advice

➔ Public School Choice is required when a school is in Federal School Improvement Status

➔ Read the United States Department of Education’s Public School Choice Non-Regulatory Guidance with references to the Compiled Federal Regulations.

www.ed.gov/policy/elsec/guid/schoolchoiceguid.doc

➔ ISBE requires districts to submit parent letters for Public School Choice to ISBE for approval prior to the letters being sent to the parents. This step also helps a district to ensure it meets federal requirements. Parent letters should be submitted by e-mail unless that form of communication is not available to the school district. Two (2) weeks should be allowed for the review and approval process. Contact Marie Nolen at 312/814-2220 or mnolen@isbe.net to fulfill this requirement. ISBE has provided a sample parent letter for you to utilize within this guidance document.

Although every attempt was made to include information that would assist school districts with the approval of their Public School Choice letters, there may be specific questions that require more direct attention. To discuss these questions, contact Marie Nolen at 312/814-2220 or at mnolen@isbe.net.

COMMON LETTER APPROVAL DEFICIENCIES:

➢ Districts fail to begin the letter approval process early enough to ensure delivery to parents so school transfers can be made on or before the first day of school.

➢ Districts do not use the specific language to inform the parents of their schools’ status.

➢ Districts forget to include the Student Transfer Form.
The final regulations and additional guidance provided by the U. S. Department of Education in October 2008 emphasized the importance of timely and clear notification to parents of the availability of Public School Choice (PSC) and Supplemental Educational Services (SES). The supplemental regulations require the districts to implement the following requirements:

- notify parents of eligible children of the option to transfer their children to another public school making adequate yearly progress reasonable in advance but no later than 14 days before the start of the school year; and
- notify parents of eligible children of the availability of SES in a clear and concise communication that obviously distinguishes SES from other school-related information the parents receive.

In addition, the U.S. Department of Education also requires a school district to prominently display on its Web site the following information regarding Public School Choice:

- beginning with data from the 2007-2008 school year, and for each subsequent school year, the number of students who were eligible for and who participated in the Public School Choice option; and
- for the current school year (2009-2010), at least 14 days prior to the start of the school year, a list of available schools to which students eligible to participate in Public School Choice may transfer.

A school district that does not have its own Web site and is required to display information about Public School Choice should notify ISBE before the start of the school year that it does not have its own Web site so that ISBE is aware of its obligation to post the required information on the school district’s behalf. In notifying ISBE, the school district should provide the required information described above.

General Information Regarding the Sample Letter from Districts to Parents
(adapted from Public School Choice Non-Regulatory Guidance, January 14, 2009)

- This letter should be provided to parents/guardians of all students who attend the schools identified for school improvement, corrective action, or restructuring on or before the first day of school. The letter must specify whether the school has been identified for school improvement, corrective action, or restructuring, and it must explain what the identification means.
- The U.S. Department of Education materials require that specific elements be in this letter; by using this sample, a district helps ensure it meets those requirements. In the sample letter, the school district will fill in the appropriate information where there are options within parentheses.
- The U. S. Department of Education stresses that the notice to parents should be in an understandable and uniform format. To the extent possible, the letter should be written in a language the parents can understand.
Sample Letter

[DISTRICT LETTERHEAD]

The district inserts specific information within the parentheses.

Date

Dear Parent/Guardian:

(District name) is committed to providing a high-quality educational program for your child. We are working hard to provide programs to help all students succeed in our school district.

Your child attends (name of school) which receives federal Title I funds. These funds provide help for your child to meet state achievement standards. In the 2011-12 school year, the school did not meet the adequate yearly progress (AYP) targets. Your child’s school (The school district chooses the language of one of the following options to complete this sentence.)

Option 1: is in school improvement which means the school has failed to make adequate yearly progress for 2 consecutive years in the same subject and is required to offer public school choice.

Option 2: remains in school improvement which means the school has failed to make adequate yearly progress for at least 3 years in the same subject and is required to offer public school choice and supplemental educational services (A family must meet low-income guidelines to qualify for Supplemental Education Services).

Option 3: is in corrective action which means the school has failed to make adequate yearly progress for 4 years in the same subject and in addition to offering public school choice and supplemental educational services, at least one of the following actions will be implemented:

- Replace school staff relevant to adequate yearly progress;
- Institute and fully implement a new curriculum, with appropriate professional development for all relevant staff;
- Significantly decrease management authority at the school level;
- Appoint an outside expert to advise the school on its progress toward making adequately yearly progress, based on its school plan;
- Extend the school year or school day; or
- Restructure the internal organizational structure of the schools.

Option 4: is in restructuring which means the school has failed to make adequate yearly progress for at least 5 years in the same subject and in addition to offering public school choice and supplemental educational services, another action is necessary. Options include reopening as a charter school, replacing all or most of the staff, entering into a contract with an entity, being taken over by the state, and implementing any other major restructuring of the school's governance.
Our district’s 2012 report card and the most recent AYP status report for your school show how your child’s school compares to other schools in our district and state. These reports are available on our Web site, at your child’s school, and at the school district office.

(The school district inserts link to Web site here.)

Your child’s school has been identified because (List reasons for identification, for example, the special education subgroup did not make the target of 77% proficient in math). The school is working to improve the school’s academic program by (list what is being done). The district and the State Board of Education are working with your child’s school to help improve the academic standards of the school. This is being accomplished by providing technical assistance to the teachers and administrators within your child’s school.

However, this may not be enough and we want to request your help as the school addresses its academic problems. (The school district provides an explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement).

The No Child Left Behind Act provides you, as a parent, the option to transfer your child to another public school within the district with transportation provided by the district. (The school district chooses the language of one of the following options to complete this paragraph.)

Option 1: A list of these schools is enclosed along with the Student Transfer Form that you must complete and return to (The school district provides a contact and address.).

Option 2: However, at this time we do not have a school within the district to which your child can transfer. We have contacted neighboring districts to request that they provide us with a school(s) we can offer you as an option. No school district has agreed to do so this school year.

Option 3: You were provided an opportunity to request a transfer for your child in our early notification letter of (The school district inserts date.). Therefore, the option to transfer is not available at this time.

Please call (name and number) if you have any questions about these services. You may also join us to talk about your options on (date and place) to help you decide what is best for your child.

Thank you,

Superintendent

Enclosures: List of schools and Student Transfer Form (if applicable)
Section 10-21.3 Transfer of Students
Each school board shall establish and implement a policy governing the transfer of a student from one attendance center to another within the school district upon the request of the student’s parent or guardian. Any request by a parent or guardian to transfer his or her child from one attendance center to another within the school district pursuant to Section 1116 of the federal Elementary and secondary Education Act of 1965 (20 U.S. C, Section 5317) must be made no later than 30 days after the parent or guardian receives notice of the right to transfer pursuant to that law.

There is no specific form or required elements for the Public School Choice Student Transfer form other than there should be a list of the schools to which the student can transfer and the academic achievement of each school.

However, there are some elements that would probably make the Public School Choice administrative work more efficient for the school district. The Illinois State Board of Education (ISBE) asks that these be considered when designing the district’s form.

- Student name, school name, and grade information
- Parent contact information (address, phone, email, etc.)
- Parent consent form language
- Place for parents to decline option to transfer students
- Parent signature and date area
- Place for parents to indicate at least two choices of schools to which students can transfer, if multiple schools are available
- Academic achievement information about each school to which students can transfer can appear on this page
- District contact person and contact information for parents having questions

Remember that the form must be included with the Public School Choice letter that ISBE must approve prior to distribution to parents.
Section 1116(b)(1)(E) of the No Child Left Behind law requires each Title I school that does not make Adequate Yearly Progress (AYP) for two consecutive years to prepare a letter to be delivered to parents not later than 14 days before the start of the school year following such identification. In addition, the letter must be submitted to the Illinois State Board of Education for approval prior to delivery to the parents. Each letter submitted to the Illinois State Board of Education for approval will be reviewed to determine the extent to which the School Choice letter complies with the statute.

To assist school districts with the preparation of their letters, a sample School Choice letter is enclosed. Use this sample letter and the following check list to ensure that the School Choice letter to the parents contains all the essential elements required in the statute.

The School Choice letter must specify …

- Whether the school has been identified for school improvement, corrective action, or restructuring, and an explanation of what the identification means
- How the school compares in terms of academic achievement to other schools served by the Local Education Agency and State (report card is available to parents on the web page, at the school, or at the district office)
- The reason(s) for the school being identified for school improvement (AYP Status Report is available to parents on the web page, at the school, or at the district office)
- What the school identified for school improvement is doing to address the problems of low achievement
- What the school district or State Board of Education is doing to help the school address the achievement problem
- How the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement
- The parents’ options to transfer their child to another school with transportation provided by the school district when required or to obtain supplemental education services for Eligible children
- If there is a school making Adequate Yearly Progress to which students can transfer: includes the Student Transfer Form that contains the list of school(s) available for student transfers, including information on academic achievement of each school to which the students can transfer
- If there is no school to which students can transfer: includes a statement that tells the parents that neighboring school districts have been contacted to provide a transfer school and the results of the contact(s)
- If the school district provided early notification: includes a statement referencing the fact that the parents were provided the public school choice option at an earlier date (provide date of letter)
- In small school districts or if the district has only one school per grade span, the school is required to send the notice and state that no viable School Choice option is available. Where no viable School Choice option is available, the school may move directly to Supplemental Educational Services during the first year of School Improvement for eligible students.
PUBLIC LAW 107–110

SEC. 1116. ACADEMIC ASSESSMENT AND LOCAL EDUCATIONAL AGENCY AND SCHOOL IMPROVEMENT.

(E) PUBLIC SCHOOL CHOICE-

(i) IN GENERAL- In the case of a school identified for school improvement under this paragraph, the local educational agency shall, not later than the first day of the school year following such identification, provide all students enrolled in the school with the option to transfer to another public school served by the local educational agency, which may include a public charter school, that has not been identified for school improvement under this paragraph, unless such an option is prohibited by State law.

(ii) RULE- In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest achieving children from low-income families, as determined by the local educational agency for purposes of allocating funds to schools under section 1113(c)(1). Section 1116(b)(1)(E)(i) and (ii).

(F) TRANSFER- Students who use the option to transfer under subparagraph (E) and paragraph (5)(A), (7)(C)(i), or (8)(A)(ii) or subsection (c)(10)(C)(vii) shall be enrolled in classes and other activities in the public school to which the students transfer in the same manner as all other children at the public school. Section 1116(b)(1)(F).

NCLB Excerpt Regarding the Essential Elements of the Public School Choice Parent Letter

(6) NOTICE TO PARENTS- A local educational agency shall promptly provide to a parent or parents (in an understandable and uniform format and, to the extent practicable, in a language the parents can understand) of each student enrolled in an elementary school or a secondary school identified for school improvement under paragraph (1), for corrective action under paragraph (7), or for restructuring under paragraph (8) —

(A) an explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary schools or secondary schools served by the local educational agency and the State educational agency involved;

(B) the reasons for the identification;

(C) an explanation of what the school identified for school improvement is doing to address the problem of low achievement;

(D) an explanation of what the local educational agency or State educational agency is doing to help the school address the achievement problem;

(E) an explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and

(F) an explanation of the parents' option to transfer their child to another public school under paragraphs (1)(E), (5)(A), (7)(C)(i), (8)(A)(i), and subsection (c)(10)(C)(vii) (with transportation provided by the agency when required by paragraph (9)) or to obtain supplemental educational services for the child, in accordance with subsection (e). Section 1116(b)(6)(A)-(F).