



## 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;
- Excerpts from Public Law 107-110, Section 1116 (*The No Child Left Behind Act of 2001* or NCLB);
- Notes Regarding the Sample Public School Choice Parent Letter;
- Checklist of the Essential Elements of the Public School Choice Parent Letter.
- Sample Public School Choice Letter for Schools in School Improvement Status;
- Suggested Contents for the Student Transfer Form; and,

## General Advice

Recent experience suggests that ISBE should offer the following “pointers” to districts:

- Public School Choice is required when a school is in School Improvement Status
- Read the United States Department of Education’s *Federal School Choice Non-Regulatory Guidance* ([www.ed.gov/policy/elsec/guid/schoolchoiceguid.doc](http://www.ed.gov/policy/elsec/guid/schoolchoiceguid.doc)).
- Be sure to get your parent notification materials approved by ISBE before you send them out. ISBE has a sample parent letter for you to consider using at [www.isbe.net/sos/default.htm](http://www.isbe.net/sos/default.htm).

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 Evelyn Deimel at 217-524-4832 or at [edeimel@isbe.net](mailto:edeimel@isbe.net). To obtain copies of applicable laws, rules, and guidance, go to [www.isbe.net/sos/default.htm](http://www.isbe.net/sos/default.htm).

## NCLB Excerpt on Public School Choice Parent Notification

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)(i) 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).

### **General Information Regarding the Sample Letter From Districts to Parents**

- 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 following sample letter has been adapted from the U.S. Department of Education's Non-regulatory Guidance on School choice dated June 13, 2005. 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.
- ISBE requires districts to submit parent letters for 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 Evelyn Deimel at **217-524-4832** or [edeimel@isbe.net](mailto:edeimel@isbe.net) to fulfill this requirement.
- This Guidance Document and other information regarding Public School Choice can be found on

the following web page: [www.isbe.net/sos/default.htm](http://www.isbe.net/sos/default.htm).

### **FREQUENT LETTER APPROVAL ISSUES!!**

- Districts do not 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.

### **Checklist of Essential Elements in Parent Letter**

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 the first day 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)
- The reason(s) for the school being identified for school improvement (AYP Status Report is available to parents)
- What the school identified for school improvement is doing to address the problems of low achievement
- What the Local Education Agency or State Education Agency 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 Local Education Agency 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:**

- List of school(s) available for student transfers, including information on academic achievement of these schools
- 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.

**Need assistance? Contact Evelyn Deimel at 217-524-4832 or [edeimel@isbe.net](mailto:edeimel@isbe.net).**

## Sample Letter

[DISTRICT LETTERHEAD]

Date

Parent Name  
Address  
City, State Zip Code

Dear .....

As a result of the federal *No Child Left Behind Act*, your child may have the option to transfer to another school within the district. This has become an option as your child's school has not made adequate yearly progress on the State tests for at least two years.

Your child's school is in **(district chooses one of the following options)**

**Option 1** - Year 1 of school improvement which means the school has failed to make adequate yearly progress for 2 consecutive years and is required to offer public school choice

**Option 2** - Year 2 of school improvement which means the school has failed to make adequate yearly progress for 3 years and is required to offer public school choice and supplemental educational services

**Option 3** - Corrective action which means the school has failed to make adequate yearly progress for 4 years 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** - Restructuring which means the school has failed to make adequate yearly progress for 5 years 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 **(year)** report card and the most recent AYP status report for your school **(enclosed with this letter)** show how your child's school compares to other schools in our district and state. Your child's school has been identified because **(list reasons for identification)**. 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 would like to invite parents to serve on the committee that will need to develop a school improvement plan. We would also like to involve parents in addressing the academic issues that caused the school to be identified for school improvement.

As a parent you have the option to transfer your child to another public school within the district with transportation provided by the district. A list of these schools is enclosed. (*If district has a choice agreement with another district, or if no viable option is available, please state here.*)

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,

District Official

Enclosures: School Report Card  
AYP Status Report  
List of schools available for student transfers, including information on academic achievement of these schools

### **Suggested Contents for the Student Transfer Forms**

There is no specific form or required elements in 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. Contact Evelyn Deimel (217-524-4832) or [edeimel@isbe.net](mailto:edeimel@isbe.net) for further assistance.

## Introduction

The purpose of this Guidance document is to provide school districts with information about the Supplemental Educational Services (SES) 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 SES;
- Excerpts from Public Law 107-110, Section 1116 (*The No Child Left Behind Act of 2001* or NCLB);
- Excerpt from the Illinois Administrative Code, Subtitle A, Subchapter O, Part 675;
- Notes Regarding the Sample Supplemental Educational Services Parent Letter;
- Checklist of the Essential Elements of the Supplemental Educational Services Parent Letter.
- Sample Supplemental Educational Services Letter for Schools in Years 2-4 of School Improvement Status;
- Suggested Contents for Provider Selection Forms; and,

## General Advice

Recent experience suggests that ISBE should offer the following “pointers” to districts:

- SES is required when a school is in years 2-4 of School Improvement Status
- Read the United States Department of Education’s *Federal Supplemental Educational Services Non-Regulatory Guidance* ([www.ed.gov/policy/elsec/guid/suppsvcsguid.doc](http://www.ed.gov/policy/elsec/guid/suppsvcsguid.doc)) and *23 Illinois Administrative Code Part 675*, which are the state’s rules for SES ([www.isbe.net/rules/archive/pdfs/675ARK.pdf](http://www.isbe.net/rules/archive/pdfs/675ARK.pdf)).
- Carefully consider the contents of the contract you sign with providers and then ensure that the provisions are enforced, particularly the provisions regarding invoicing and provider reports on student progress to parents and districts. ISBE has a sample contract for you to consider using at ([www.isbe.net/ses/word/provider\\_contract.doc](http://www.isbe.net/ses/word/provider_contract.doc)).
- Be sure to get your parent notification materials approved by ISBE before you send them out. ISBE has a sample parent letter for you to consider using at ([www.isbe.net/ses/word/parent\\_guardian.doc](http://www.isbe.net/ses/word/parent_guardian.doc)).

Although every attempt was made to include information that would assist school districts with the approval of their Supplemental Educational Services Letter, there may be specific questions that require more direct attention. To discuss these questions, contact Evelyn Deimel at 217-524-4832 or at [edeimel@isbe.net](mailto:edeimel@isbe.net). To obtain copies of applicable laws, rules, and guidance, go to [www.isbe.net/ses/html/legislation.htm](http://www.isbe.net/ses/html/legislation.htm).

## NCLB Excerpt on when SES Is Required

PUBLIC LAW 107-110

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

(e) SUPPLEMENTAL EDUCATIONAL SERVICES-

- (1) SUPPLEMENTAL EDUCATIONAL SERVICES– In the case of any school described in paragraph (5), (7), or (8) of subsection (b), the local educational agency serving such school shall, subject to this subsection, arrange for the provision of supplemental educational services to eligible children in the school from a provider with a demonstrated record of effectiveness, that is selected



by the parents and approved for that purpose by the State educational agency in accordance with reasonable criteria, consistent with paragraph (5), that the State educational agency shall adopt. Section 1116(e)(1).

### **NCLB Excerpt Regarding the Essential Elements of the Supplemental Educational Services Parent Notification**

(2) LOCAL EDUCATIONAL AGENCY RESPONSIBILITIES- Each local educational agency subject to this subsection shall—

(A) provide, at a minimum, annual notice to parents (in an understandable and uniform format and, to the extent practicable, in a language the parents can understand) of—

- (i) the availability of services under this subsection;
- (ii) the identity of approved providers of those services that are within the local educational agency or whose services are reasonably available in neighboring local educational agencies; and
- (iii) a brief description of the services, qualifications, and demonstrated effectiveness of each such provider(.) Section 1116(e)(2)(A)(i), (ii) and (iii).

### **Illinois Administrative Code Excerpt Regarding SES Implementation**

#### **23 Illinois Administrative Code Section 675.175 Timetable for Implementation of the Program**

The requirements of this Section shall pertain to a district's initial enrollment period for SES in each school year. Districts are strongly encouraged to undertake parental notification and student enrollment in advance of the timelines set forth in this Section. No provision of this Section shall be construed to limit a district's ability to offer multiple enrollment periods during the course of a school year. The deadline for each district's initial enrollment period shall be no later than 60 days after the first day of school or 60 days after the district's receipt of notification from ISBE as to its status, whichever occurs later.

- a) In any school year when the performance of a district's schools obligates the district to offer supplemental educational services, the district shall distribute to parents of eligible students a notification to this effect, accompanied by a selection form for use by the parents. Each district's notification and selection form must be approved by the State Superintendent of Education annually to ensure that it includes the material required by Section 1116(e)(2)(A) of NCLB and, to the extent practicable, is written in language that will be understandable to parents.
  - 1) No later than three weeks prior to the date on which the district plans to distribute its notification to parents, each district shall submit to the State Superintendent either:
    - A) the intended notification and the intended enrollment form, if separate; or
    - B) an assurance that its approved notification and enrollment form from the previous year will not be changed other than with respect to dates or available providers.
  - 2) Within two weeks after receipt of a district's intended notification materials or assurance, the State Superintendent shall either approve the communication or specify areas of insufficiency that must be corrected before the notification can be released.

- 3) This notification shall be distributed in such a way as to reach parents no later than two weeks prior to the close of the district's initial enrollment period, and shall inform parents regarding all the approved providers that will be serving the schools attended by their respective students.

### **General Information Regarding the SES Parent Notification Materials**

- Though a letter format is not required, these materials are generally sent in the form of a letter. Therefore, this information refers to the materials as a "letter."
- This letter should be sent only to parents of students who attend the schools designated to provide Supplemental Educational Services (SES) and who are defined by the district as "low income" through whatever method the district typically uses in reaching such a determination. One common method is to send letters to parents of students receiving free or reduced lunches.
- The following sample letter has been adapted from the U.S. Department of Education's Non-regulatory Guidance on Supplemental Educational Services dated June 13, 2005. The *No Child Left Behind Act of 2001* requires specific elements to be in this letter; by using this sample, a district helps ensure it meets those requirements. Section 1116(e)(2)(A).
- Parents, guardians, and those who work closely with parents and guardians in schools and the community, have stated that a letter to parents/guardians should be short. In the interest of keeping the letter to about one page, we have included as attachments several related pieces of information that parents/guardians can use to make a decision about supplemental educational services. For the SES notification letter, these include an approved provider list and a provider selection form.
- ISBE requires districts to submit parent letters for SES 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. Contact Evelyn Deimel at 217-524-4832 or [edeimel@isbe.net](mailto:edeimel@isbe.net) to fulfill this requirement.
- This Guidance Document and other information regarding Supplemental Educational Services can be found on the following web page: [www.isbe.net/ses/html/resources.htm](http://www.isbe.net/ses/html/resources.htm).

### **FREQUENT LETTER APPROVAL ISSUES!!**

- Districts do not begin the letter approval process early enough to ensure delivery to parents before the start of the school year.
- Districts omit the guidance questions for parents.
- Districts forget to send the provider selection form.

## Checklist of Essential Elements Needed in SES Parent Letters

Section 1116(b)(5)(B) of the *No Child Left Behind Act of 2001* stipulates that if a school fails to make Adequate Yearly Progress by the end of the first full school year after being identified for school improvement the Local Education Agency shall make Supplemental Educational Services available to the students at that school. If School Choice is not available, the school may move directly to Supplementary Educational Services during the first year of School Improvement for eligible students. Districts may also offer Supplemental Educational Services in that first year if demand for Choice was not sufficient to use up the available funds.

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

- An explanation why the child qualifies for Supplementary Educational Services (free tutoring)
- List of Approved Providers/Provider Information verified by the school district as available in the area
- List of questions for parents to ask when selecting a tutoring program
- An explanation of the selection of students when funding is limited (priority given to low-performing students)
- Provider Selection Form for selection of tutoring program is enclosed

**Need assistance? Contact Evelyn Deimel at 217-524-4832 or [edeimel@isbe.net](mailto:edeimel@isbe.net).**

## Sample Letter

[DISTRICT LETTERHEAD]

[Date]

Parent Name  
Address  
City, State Zip Code

Dear .....

Help your child succeed in school—sign up for free tutoring! As a result of the federal *No Child Left Behind Act of 2001*, your child can receive extra help in the areas of math, reading, and language arts. You can receive this free tutoring because your child’s school is in its second year or later of school improvement (the school has not made adequate yearly progress on state tests for at least three years), and your family meets the income limits under the law.

You can choose a free tutoring program that is best for your child. A list of approved tutoring programs in your area is enclosed. These programs have been approved by the Illinois State Board of Education and will provide your child with tutoring that is coordinated with what is being taught in school.

When deciding which tutoring program is best for your child, you may want to consider these questions:

- When and where will the tutoring take place (at school, community center)?
- How often and for how many hours in total will your child be tutored?
- What programs, by grade levels and subject areas, are available for your child?
- What type of instruction will the tutor use (small group, one-on-one, or the computer)?
- What are the tutor’s qualifications?
- Can the tutor help if your child has disabilities or is learning English?
- Is transportation available to and from where the tutoring will take place?

If more students request tutoring than can be served through available funding, priority will be given to low-performing students as determined by the district.

Please call (**name and number**) if you have any questions about these services. You also may join us to talk to the tutors on (**dates and times of parent fairs**) to help you decide which program is best for your child. If you would like to select a tutor now, you can fill out the enclosed provider selection form and mail it back to (**name and address**) in the stamped envelope we provide. Applications are due by (**date**). You will receive a letter from (**school district official**) by (**date**) telling you when the free tutoring will start.

Thank you,

District Official

Enclosures: Approved Provider List/Provider Information  
Provider Selection Form

## Suggested Contents for Provider Selection Forms

There is no set format nor required elements in an Supplemental Educational Services provider selection form other than that it must contain all of the approved providers for a district (less any who indicate they will not serve that district in the year the form is to be used) and that all the providers so listed must be treated the same (all in the same type face, for example).

However, there are some elements whose inclusion would probably make SES administrative work more efficient for districts and providers alike. The Illinois State Board of Education (ISBE) asks that you consider these when designing your form.

- Student name, date of birth, school name, and grade information (providers need legal last name and birth date as part of the enrollment process in the ISBE SES database)
- Student ELL and IDEA status checkboxes, perhaps even a language indicator space for ELL students
- Parent contact information (address, phone, email, etc.)
- Parent consent form language—district can then release student information to providers immediately without having to go through another step with the parents.
- Parent signature and date area
- Student SIS number area (district will need to supply this later to the provider since parents probably won't know this number, but at least there will be a place to put the number)
- Place for parents to indicate at least their first three ranked provider choices. If the first choice doesn't work out, the district must get the parent's next choice, so why not have that information already at hand?
- District contact person and contact information for parents having questions

Note that the selection form does not have to have the providers listed on it. Providers could be listed on another sheet with some sort of code, and the selection form simply could have a place for parents to enter the code(s) for their provider preferences. Using this method may allow you to design a selection form that will work for multiple years without re-design; you simply would change the associated provider list and codes each year.

**Remember** that the form you design must be included in the parent notification materials that ISBE must approve prior to distribution to parents (23 Illinois Administrative Code 675.175(a)(1)). Contact Evelyn Deimel (217-524-4832) or [edeimel@isbe.net](mailto:edeimel@isbe.net) about this approval process.

*This e-bulletin contains basic information on NCLB provisions. It is meant to provide a ready reference for school administrators, teachers, and the public on NCLB implementation within Illinois. It is not intended as a comprehensive source of information on the rules and regulations which govern NCLB Title I.*