



## Public School Choice under NCLB

**“Families in Massachusetts clearly want to exercise choice over their children’s education.”**

—*Mapping School Choice in Massachusetts: Data and Findings 2003*, Center for Education Research & Policy at MassINC and The Boston Foundation

This issue of *Pointers* is about **Public School Choice**, an important option for parents<sup>1</sup> in the **No Child Left Behind Act (NCLB)**. It explains how NCLB’s **Public School Choice** option works, how to access it, and where to go for more information.

### What is NCLB?

The *No Child Left Behind Act* (NCLB) is the main federal education law. The goal of NCLB is to help *all* the nation’s public school students receive a better education. NCLB has a special interest in closing the achievement gap. Some parts of NCLB apply to all public schools, but some apply only to Title I schools. The Title I program—the largest part of

NCLB—gives extra money to schools with high numbers of students from low-income families. All schools must improve under NCLB. But only low-performing schools that receive Title I funding must offer public school choice.

### What is public school choice under NCLB?

NCLB’s public school choice option is meant to increase the number of choices for families whose children attend Title I schools that are underperforming.

In general, public school choice means that parents have an opportunity to choose the public school they believe is the best place for their child. In Massachusetts, choices include options both within and outside school districts, charter schools, METCO, magnet and pilot schools within a district, private schools, home-schooling, vocational technical schools and private special education schools. Unfortunately, family income and the quality of schools in some communities limit the actual choices available.<sup>2</sup>



### Why is public school choice important?

Choice gives parents the power to help shape their child’s education and to help schools improve. NCLB views choice as one way that parents can help hold schools accountable for giving their children a good education. “Accountable” means that schools have to answer to the public for how well they are, or are not, educating all the children in a school.

1. In *Pointers*, “parents” means a child’s primary caregivers, whether they are parents, grandparents, legal guardians, or other adult.

2. “Mapping School Choice in Massachusetts: Data and Findings 2003,” p. 11.

## When are children eligible for school choice under NCLB?

A student at a Title I school is eligible for school choice under NCLB when:

- The school has not met the goals set by Massachusetts for school improvement (called “adequate yearly progress,” or AYP) for two years in a row or longer,
- The student is the victim of a violent criminal offense on the grounds of the school, or
- The state has said that the school the student is attending is “persistently dangerous.”<sup>3</sup>

## What is a Title I School?

NCLB has 10 parts, called “Titles.” The Title I program—the largest part of NCLB—gives money to schools with high numbers of students from low-income families. While NCLB applies to all schools, some parts only apply to Title I schools. Your school principal can tell you if your child’s school is a Title I school.

## What is Adequate Yearly Progress?

NCLB requires all schools to improve every year. The amount of improvement schools must make each year is called “Adequate Yearly Progress.” In Massachusetts, AYP is mostly judged by how well students do on the statewide Massachusetts Comprehensive Assessment System (MCAS) tests. To make adequate yearly progress, it is not enough for the school as a whole to improve. All *groups of students*—students with disabilities, students who are just learning

3. As of September 2004, no school in Massachusetts has been designated as “persistently dangerous.”

English, and minority students—must make enough progress.<sup>4</sup>

## What happens if a school does not make adequate yearly progress?

Schools that do not meet AYP goals for one year are given another chance to do so. Schools that do not meet AYP goals for two years in a row are said to be “in need of improvement.”

## What happens if my child’s Title I school is “in need of improvement”?

The parents of all children attending a Title I school in need of improvement must be told of the option to transfer to a school that is not in need of improvement.

## What schools can my child transfer<sup>5</sup> to under this option in NCLB?

- Students must be given the option to transfer to another public school, which may include a public charter school, within the local school district.
- Even a charter school that is not under the authority of the local school district, but is inside the geographic boundaries of the district, may be included as a transfer option.

Students may *not* transfer to a private school or to a school that:

4. For more information on AYP and schools in need of improvement, call Parents’ PLACE toll free at 1-877- 471-0980 and ask for a free copy of the *Pointers* on “School Report Cards.” It is also available in Spanish and Portuguese and online at [www.pplace.org](http://www.pplace.org)

5. Some school districts give parents the right to choose among schools in a district or zone every year. These transfers are not the same as transfers under NCLB.

- Has been identified as in need of improvement or for corrective action, or is in the planning year of restructuring; or
- Has been identified by the Massachusetts Department of Education as “persistently dangerous.”

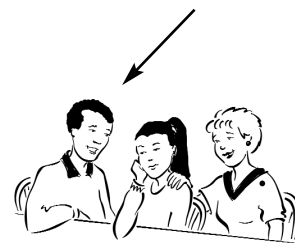
## When does school choice become an option?

If your child’s school is in need of improvement and you decide to transfer your child, your child will go to the new school on the first day of the new school year as long as space is available. For example:

**2003-04  
School Year/  
Spring 2004**

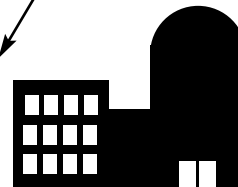


Your school named “in need of improvement”

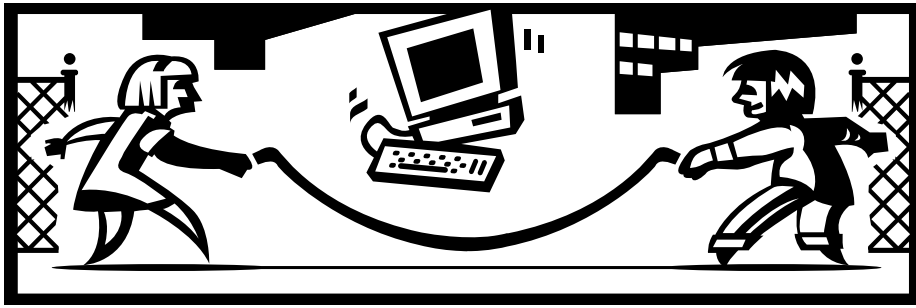


Parent decides to transfer child

**2004-05  
School  
Year**



Your child starts attending new school



## Which students are eligible?

All students enrolled in the Title I schools described above are eligible for choice.

- What happens if my school district does not have enough choices to offer all students the chance to transfer? Priority must be given to the lowest achieving, low-income students.
- How many options will I have? If more than one school is available, the local school district must offer more than one choice to eligible students.

## How will I know if my child's school has to provide choice?

The school district must explain the choice option to all parents of students enrolled in Title I schools that have to provide choice. It must give this notice well before the beginning of the school year in which choice will be offered.

## What information should be in the notice?

The notice should give complete information in an easy-to-understand format. It should be in a language the parents can understand. It must:

- Tell parents that their child is eligible to attend another public school because their current school is not improving enough;

- Identify all public schools, including public charter schools, that the parent can select; and
- Briefly describe the performance and overall quality of those schools.

## How long can my child attend the new school?

Students who choose to transfer must be allowed to remain in the new school until the student has completed the highest grade in the school. However, it is important to consider your child's transportation needs (see below).

## What about transportation?

- The school district must pay for, or provide, transportation to the new school.
- The district is only responsible for transportation until the *end* of the school year in which your child's school of origin is no longer in need of improvement.

Once a school is identified as in need of improvement, it must make AYP for two years in a row to be taken off the list. Since transportation can continue until the end of the year when the school is no longer in improvement status, it could be as long as 3 years or more, but would have to be at least two years.

## What if my child wants to transfer to a school with special entrance requirements?

Your child must still meet the entrance requirements of the school. For example, a student wishing to transfer to a fine arts magnet school or to a school for gifted students would still need to meet its entrance requirements.

## What if no schools are available?

It may happen that all schools at a grade level are in need of improvement or that there is only one school in the district. In those cases:

- The school must *still* notify parents that their child's school is in need of improvement and that the child is eligible for choice, but that no choices are currently available.
- NCLB says that the local school district should establish a cooperative agreement with other local school districts in the area that do have eligible schools—"to the extent practicable."
- If it is not possible for a school district to offer choice, school districts are allowed to offer **Supplemental Educational Services (SES)**<sup>6</sup> instead in the first year that a school is in need of improvement. You can ask your Title I Director, or school principal, if this is an option for your child.

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6. Supplemental educational services are usually provided only after schools have been in need of improvement for 2 years. For more information on supplemental educational services, call us, or go online, to view issue 2 of *Pointers*, which is on SES.

## How will my child who transfers be treated at the new school?

Schools that receive students under NCLB must make sure that the students are enrolled in classes and can participate in other activities in the school *just the same as all the other students in the school.*

## What about free supplemental educational services?

Some students at schools that have been in need of improvement for two or more years are also eligible for free supplemental educational services (like tutoring). But a child cannot both receive free SES and use the school choice option. *Parents of eligible children must choose between the two options.*

## Unsafe Schools Choice Options

Students in unsafe situations must be allowed to transfer to other—safer—public schools. The student is not required to transfer, but the school must make the offer. Transfers must be allowed under two conditions:

- When a *school* is identified as “persistently dangerous.” Massachusetts has set strict standards that must be met over a three-year period before a school is found to be “persistently dangerous.”
- When a *student* is the victim of a violent crime (as defined by Massachusetts General Laws) that takes place in or on the grounds of the public school. “School grounds” includes school buses and school events such as athletic games and field trips. The Mass. Department of Education clarifies that this option is available “to the extent feasible.”

## What should I find out to help me make a choice about which school to choose for my child?

Here are some questions you can ask the principal of a school you are considering for your child:

- How will you help my child do better in school?
- How well do your students do in reading, English, math, and other subjects?
- Has achievement in your school changed over the last few years?
- What percentage of your teachers is highly qualified?
- How do you help students who are having trouble in school?
- How will you help my child prepare for college?

## For more information

*Choosing a School for Your Child*, U.S. Department of Education. Available September 2004 in English and Spanish. Call toll free: 1-877-433-7827 for a free copy. The general U.S. Dept. of Education NCLB website is [www.nochildleftbehind.gov](http://www.nochildleftbehind.gov).

“Making the ‘No Child Left Behind Act’ Work for Children Who Struggle to Learn: A Parent’s Guide,” National Center for Learning Disabilities and Schwab Learning, 2004. Online at [www.schwablearning.org/articles.asp?r=853](http://www.schwablearning.org/articles.asp?r=853).

“Questions and Answers on Public School Choice,” American Federation of Teachers, April 2004. Online at [www.aft.org/topics/nclb/downloads/QASchoolChoice5-04.pdf](http://www.aft.org/topics/nclb/downloads/QASchoolChoice5-04.pdf).

“School Choice in Massachusetts: An Overview of Your Options,” [greatschools.net](http://greatschools.net). Online at [www.greatschools.net/cgi-bin/showarticle/MA/96/improve](http://www.greatschools.net/cgi-bin/showarticle/MA/96/improve).

“School Choice Opportunities under No Child Left Behind,” Schwab Learning, 2004. Online at [www.schwablearning.org/articles.asp?r=778](http://www.schwablearning.org/articles.asp?r=778).

All of the above articles are available from Parents’ PLACE for families who do not have computer access. You can also call Parents’ PLACE for a list of the Massachusetts schools “in need of improvement.”


To contact the Massachusetts Department of Education regarding school choice, call the Title I office at 781-338-6230.

The *No Child Left Behind Act* views parents as key partners in helping their children succeed in school. Parents’ PLACE helps parents get the information they need to make important decisions about their children’s education. If you would like to receive more information on school report cards, public school choice, supplemental educational services, MCAS tests and standards, or any other aspect of NCLB, Parents’ PLACE is here to help! We offer print resources, workshops, a toll-free helpline, and a website and regular publications on education in English, Spanish, and Portuguese.

**Call us toll free at 1-877-471-0980**

**Visit us at [www.pplace.org](http://www.pplace.org)**

Available in English, Spanish, & Portuguese and online at [www.pplace.org](http://www.pplace.org)



**PARENTS LEARNING ABOUT CHILDREN'S EDUCATION**

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