



# SAN DIEGO COUNTY OFFICE OF EDUCATION

6401 LINDA VISTA ROAD, SAN DIEGO, CALIFORNIA 92111-7399 (858) 292-3500

## Superintendent of Schools

Rudy M. Castruita, Ed.D.

October 3, 2002

To: District Superintendents

From: Rudy Castruita, County Superintendent of Schools

Subject: NCLB Transportation and School Choice (Title I)

As our staff continues to receive questions to clarify the complex issues of No Child Left Behind (NCLB), we want to share our responses with all of you in hopes that they may be of use to you, too. The enclosed documents are compiled in order to assist you with the interpretation of NCLB Transportation and School Choice (Title I) issues.

NCLB requires that Title I schools not making adequate yearly progress (AYP) for two consecutive years be designated as Program Improvement (PI) Schools. This PI designation activates public/school choice and transportation responsibilities. Effective 2002-2003, the first year a school is in Program Improvement (PI), the district is required to notify parents of the students of the Program Improvement school of their right to transfer their student to a non-Program Improvement school within the district. In the situation where there is not a public school in a district to which the student may transfer, the district shall, to the extent practicable, establish a cooperative agreement with another school district.

Districts are required to pay for or provide transportation for students who elect the school choice option. Districts are required to "set aside" Title I funds for transportation for the school choice option.

### Timeline Interpretations by the California Department of Education (CDE)

The CDE (Delaine Eastin 5/30/02 letter) has interpreted the law in the following manner:

- Schools identified as PI schools in 99-00 and 00-01 must offer school choice in the 02-03 school year.
- Schools identified as PI schools in 96-97, 97-98, or 98-99 must offer BOTH school choice as well as supplemental services in the 02-03 school year. NOTE: The attached list of PI schools may change based upon October, 2002 API results.

If the October 2002 API results indicate that a PI school has not made AYP for the second consecutive year, the school must remain in PI status. The school must offer supplemental services immediately and offer school choice as soon as possible, but no later than the beginning of the next term during the 2002-2003 school year.

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### Parent Notification

The law requires that parents be promptly notified when their child's school has been identified as a PI school. The notification must include an explanation of the PI designation, a description of how the district will address the problem and how parents can become involved, and an explanation of the parents' school choice option to transfer their child to another school in the district or to obtain supplemental education services. A sample of such parent notification is attached.

### Supplemental Services

The second year a school is in PI, the district must offer Supplemental Services to the low socio-economic students. Schools that are required to provide supplemental services must: (1) annual notify parents of the availability of those services, including the identity and qualifications of approved providers and a description of the services they provide; (2) help parents select a provider, if such help is requested; and (3) enter into an agreement with a provider for each student that includes goals and a timetable for improving the student's achievement, regular progress reports and a provision for termination if the provider fails to meet the goals, timetables and payment terms. Shortly, I will be sending you further information and resources on this topic.

### District Board Policies

California School Board Association (CSBA) is currently working on revising 50 sample school board policies to align with NCLB. These policies will include incorporating School Choice into CSBA Sample Policy 5116.1 Interdistrict and Open Enrollment Policy and CSBA Sample Policy 5118 Transfers: Interdistrict and Intradistrict. These policies are planned to be available in November. It is anticipated that the policies will include giving School Choice transfer requests priority over other open enrollment requests.

Our San Diego County Office staff members available to assist you with these School Choice issues are Judy Walker, Lead Coordinator, Regional School Support and Information Center, 858-292-3518, and Elaine (Irish) Hodges, Director, Special Projects and Accountability, 858-292-3836. Please do not hesitate to contact them with your questions.

RC:EH:JW:ev

cc: Nancy Giberson

### Attachments:

- 1-Program Improvement Title I Schools
- 2-Program Improvement Chart
- 3-School Choice Letter
- 4-Transfer Approval Letter