



The University of the State of New York • The State Education Department

Just the Facts for NY Parents

PUBLIC SCHOOL CHOICE

The NO CHILD LEFT BEHIND (NCLB) ACT of 2001 is a federal law to improve education for all children. It holds schools responsible for results, gives parents greater choices, and promotes teaching methods that work. This fact sheet will point out one part of the law important for parents to know.

Under the NCLB law, all schools must make adequate yearly progress. If a school does not make adequate yearly progress two years in a row, in the same subject and grade, the school is identified as ***in need of improvement***. With help from the district and the New York State Education Department, the school must take action to improve the performance of its students. Schools must tell parents how they plan to improve the school and how parents can work with the principal and the teachers to help the school improve.

You have a new choice if your child attends a school in need of improvement.

Children who are in schools in need of improvement are at risk of falling farther and farther behind in learning. The NCLB law gives you a new choice. If your child's school is a Title I school identified as in need of improvement, you can ask that your child be transferred to a higher performing public school in the same district. This option is called ***public school choice***.

Your child's school district must tell you about this new option by the beginning of the school year after the school was identified as in need of improvement. The school district must tell you how to apply for a transfer. Parents must complete the application and return it by the deadline.

Under public school choice, the school district must provide transportation for students who transfer, though some limitations may apply. Students who transfer to higher performing schools may continue to attend those schools until they have completed the highest grade in the new school. Under federal law the school district is only required to provide transportation until the end of the school year in which the first school is identified as no longer in need of improvement. In this situation, your child may continue to have a right to transportation under state law.

If there are more transfer requests than available spaces in higher performing schools, the school district will give priority to students who are the most behind in academic subjects.

Under public school choice, students cannot transfer to private or religious schools.

Public school choice is just one option...

The NCLB law gives parents of children in schools in need of improvement more than one option. If parents decide not to transfer their child, and the school remains in need of improvement for another year, the school district may be required to offer students **supplemental educational services**. These services are extra tutoring or help in important subjects to help students catch up. School districts or charter schools, not parents, pay for these services.

How can you learn more about public school choice?

- **Know how well your school is doing.** Contact your child's principal and find out how well your school is meeting its academic goals. Ask if your school is a Title I school in need of improvement, according to the New York State Education Department. The NYSED web site lists schools in need of improvement [<http://www.emsc.nysed.gov/deputy/nclb/sini/sini200304.htm>] (scroll down left column to "Schools in Need of Improvement").
- **Get information.** Your school principal and district officials will give you information in writing about schools that are open for transferring students. You will want to ask what the new school will offer your child, about transportation, and when you might visit schools. If there are not enough transfer spaces, you will want to know how the school district is deciding which students are eligible.
- **Make a choice.** Only parents and guardians can decide to apply for a public school choice or supplemental educational services. Make sure you understand what you need to do to make a choice. Ask your principal, your child's teacher, district officials, and parent leaders for information that is easy to understand.
- **Find out how to help.** You can ask your child's teacher, the school principal, or a leader of your school's parent group what steps the school is taking to improve. You can act to help your child's school make progress toward academic goals.



*This is one of a series of NY parent information sheets about the federal education law **No Child Left Behind**. Part A, Section 1116 (b)(E) of **No Child Left Behind** covers Public School Choice. For more "...Facts," ask your principal or email the NY State Education Department at nclbnys@mail.nysed.gov or go to the web site at <http://www.emsc.nysed.gov/deputy/nclb/nclbhome.htm>. The federal **No Child Left Behind** web site has a page especially designed for parents at <http://www.nochildleftbehind.gov/parents/>.*

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