



Resource 7

What *NCLB* Says About Public School Choice*

One of the changes that *No Child Left Behind (NCLB) Act* provides for families is called Public School Choice. Beginning with the school's first year identified as being a school "in need of improvement", parents may choose to take their child out of a low performing school and transfer him or her to a different school that is not designated as being in need of improvement. Public School Choice is available to parents of students enrolled in Title I schools that have been identified for school improvement, corrective action or restructuring. Ask the school's principal if your child's school receives Title I funds and whether the school has an *NCLB* designation of school improvement, corrective action or restructuring.

How School Choice Applies to Schools in Need of Improvement:

1. *NCLB* says that a school is determined to be "in need of improvement" if it has failed to make Adequate Yearly Progress (AYP) for two years in a row.
 - Student achievement is measured by whether a school makes AYP. In 2003-2004 New Mexico began using Criterion Referenced Tests (CRTs) based on New Mexico state content standards to determine AYP. In high schools, AYP currently is determined by the percentage of students passing the New Mexico High School Competency Exam in grade 11. This will eventually be determined by a High School Standards Based Assessment.
 - The entire school and each of its subgroups (special education, second language learners, students receiving free or reduced lunch and five ethnic groups) must make adequate yearly progress for the school to be considered as meeting AYP. Schools must test 95% of its students to make AYP. Elementary and Middle Schools must also meet a required attendance rate of 92% to meet AYP. High Schools (04-05) must have at least a 90% graduation rate to meet AYP.
 - If the scores of the school or any of its subgroups are not high enough, then the school has failed to make AYP. Schools who fail to meet AYP two years in a row are labeled as being "in need of improvement".
2. The school district must notify all parents if a school is in need of improvement, thereby giving parents the choice to transfer their child to a school that is not labeled as being in need of improvement, including charter schools. Notification must be in a language that parents can understand.
3. School choice applies to parents of all children, including children with disabilities, attending schools in need of improvement, corrective action or restructuring.
4. The district must provide a choice of schools in the district which have met AYP. Parents can select one of those schools for their child to attend. The district is required to pay for the child's transportation to the new school.
5. *NCLB* says that if there are no other schools within the district that can accept your child, then the district may enter into cooperating agreements with nearby districts that do have eligible schools. Even if there are no schools close enough, the district must notify parents if the school is on New Mexico's list of schools in need of improvement, corrective action or restructuring.
6. Parents must be informed that school choice is available no later than the first day of school following the school year in which the district administered assessments that resulted in the school being identified as in need of improvement, corrective action or restructuring.

Here are answers to some of the questions parents may ask about school choice:

If I decide to move my child into another school, how long can he/she stay in that new school?

Your child can stay in the new school as long as you choose through the highest grade offered in that school. The district will pay for transportation as long as your child's original school remains in improvement status. If the original school makes adequate yearly progress, the district will no longer provide free transportation to the new school, but your child can still stay in that school. You will then be responsible for transportation to that school.

What if my child's school is the only one in our district, or the next nearest school is too far away?

The law says that if there are no other schools in the district that can accept your child, then the district may enter with cooperating agreements with nearby districts that do have eligible schools. If there are no schools nearby, your school must still notify you if it is "in need of improvement".

What information should I get from the eligible schools to help me make an informed decision?

Visit the school. Visit with other parents who have children attending the school. Ask yourself if the school feels family friendly.

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

- How do you deal with students who are having learning difficulties in school?
- How do students score in reading, math and other subjects?
- How has achievement changed in this school over the last few years?
- Tell me about your school's reading and math programs.
- Are all teachers highly qualified? Ask to see their qualifications.
- How will you help my child be successful?

* For more information and current revisions of the *No Child Left Behind Act* go to the US Department of Education's *NCLB* web site page at <http://www.ed.gov/nclb/landing.jhtml>

Adapted from : Parents Reaching Out , www.parentsreachingout.org