

# Public School Choice

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# Public School Choice Title 1 Schools

The purpose of Public School Choice is to provide all students in low-performing Title 1 schools that have been identified for improvement the opportunity to access a high quality education.

# Eligible Students in Title 1 Schools

- All students enrolled in a Title 1 school identified for improvement, corrective action or restructuring are eligible.
- Priority should be given to the lowest achieving children from low-income families.
- Students are eligible for school choice until the school is no longer in improvement.
- Eligible students who transferred may remain in that school until they have completed the highest grade in the school, and transportation is no longer required by Title 1.

- Districts are to notify parents of eligible children of the option as soon as possible, and NO LATER THAN 14 CALENDAR DAYS BEFORE THE START OF THE SCHOOL YEAR.
- Sample letters are in [Commissioner's Memo LS-10-027](#).
- In this memo you will also have guidelines for information that must be included in this letter.
- In addition to mailing notices directly to parents, districts must provide information about choice options through broader means including: newspapers, posters and the Internet.

Ark. Code Ann. §§ 6-15-419(24) and 6-15-426 require all Arkansas public schools or school districts created pursuant to Title 6 of the Arkansas Code to be subject to the Arkansas Comprehensive Testing Assessment & Accountability Program (ACTAAP).

Section 9.06 of the ADE's ACTAAP Rules provides that the second year a school fails to make Adequate Yearly Progress (AYP), that school shall be classified as being in Year 1 of School Improvement. Any school classified in Year 1 of School Improvement shall offer eligible students choice options to another school in the district not in School Improvement.

School choice requirements for non-Title I schools are the same as for Title I schools, with the exception of requiring set aside funds.

Commissioner's Memo LS-08-053

# Information Required to be Posted on the LEAs Website

- An LEA is required to prominently display on its Web site the following information regarding public school choice:
- 1. Beginning with data from the 2007-2008 school year, and for each subsequent school year, the number of students who were eligible for and who participated in the public school choice option [34 C.F.R. §§200.39(c)(1)(i); 200.42(b)(5); 200.43(b)(5); 200.43(c)(1)(iii)]; and
- 2. For the current school year, a list of available schools to which students eligible to participate in public school choice may transfer [34 C.F.R. §§200.39(c)(1)(iv); 200.42(b)(5); 200.43(b)(5); 200.43(c)(1)(iii)].

- An LEA should also consider including other information on its Web site that will help parents make informed choices. For instance, an LEA might wish to include the list of schools with students eligible for public school choice. An LEA might also include information on the academic achievement of the schools from which parents may choose, as well as other information on these schools, such as any special programs or facilities, the availability of before- or after-school programs, the professional qualifications of teachers, and parent involvement opportunities. LEAs should also include other information, such as the procedures and timelines that parents must follow in selecting a school for their child, how transportation will be paid for or provided, and the amount equal to 20 percent of the LEA's Title I, Part A allocation, which is the amount the LEA must spend for choice-related transportation and SES (referred to as the 20 percent obligation). An LEA might also include LEA and school contact information for parents to use if they have additional questions or seek more information. Finally, an LEA might also include a link to a downloadable form for parents to use to request to transfer their child to another school.

# Example

## Public School Choice

	2007-2008	2008-2009	2009-2010	2010-2011
# of eligible students				
# of students participating				

**List all schools of choice  
for the current year.**

- **E-10. What if providing the option to transfer to another school within the LEA is not possible?**
- Some LEAs may have no schools available to which students can transfer. This situation might occur when all schools at a grade level are identified for school improvement, corrective action, or restructuring, or when an LEA has only a single school at that grade level. It may also occur in LEAs whose schools are so remote from one another that changing schools is impracticable. For example, if the only other elementary school is over 100 miles away, then changing schools is likely impracticable.

- **In these cases, the LEA must, to the extent practicable, enter into cooperative agreements with other LEAs in the area (or with charter and virtual schools in the State) that can accept its students as transfers** [*Section 1116(b)(11)*]. The LEA may also wish to offer SES to students attending schools in their first year of school improvement who cannot be given the opportunity to change schools [*34 C.F.R. §200.44(h)(2)*].
- Note that an LEA may not use lack of physical capacity within its schools to deny students the option to transfer. (See E-8.) In addition, if an LEA employs zones within the LEA based on the geographic location of schools for the purpose of providing transportation to students, it may not use these zones to deny students the option to transfer. (See J-25.)