

## Questions About Public School Choice Under ESEA Title I School Improvement Programs

For detailed information on Title I Public School Choice provisions, additional guidance will be posted at [http://www.tea.state.tx.us/index4.aspx?id=2147501017&menu\\_id=798](http://www.tea.state.tx.us/index4.aspx?id=2147501017&menu_id=798).

### **Which campuses and LEAs are required to offer public school choice?**

LEAs receiving federal funds under Title I, Part A are required to make choice available to all students who are enrolled in Title I campuses if their campus has been identified on school improvement. The LEA is responsible for paying all or a portion of the transportation necessary for students to attend their new campuses, subject to the limitations in statute.

Note: Open-enrollment public charter schools are, by design, schools of choice. Public School Choice is not applicable to open-enrollment charter schools that are identified in school improvement or other types of campuses that are by design already schools of choice.

### **Which students are eligible to change campuses under the Title I public school choice provisions?**

All students enrolled in Title I campuses identified for school improvement, corrective action, or restructuring are eligible to transfer to another public school campus within the LEA (which may be a district charter school) that is not in school improvement. This requirement for all students applies whether the campus in which a child is enrolled administers Title I as a schoolwide program or as a targeted assistance program. The only exception applies in the situations when there are no other campuses in the LEA (or outside the LEA) to which students could transfer.

In the case of a campus that operates a targeted assistance program, all students in the campus, not just those receiving Title I services, must have the opportunity to change campuses.

### **Is there any priority for students to be allowed to transfer under the Title I public school choice option?**

The LEA must give all students in a campus identified for improvement the opportunity to transfer to another public school. In implementing this option to transfer, however, there may be circumstances in which the LEA must give priority to the lowest-achieving children from low-income families. For example, if not all students can attend their first choice of campuses, a LEA would give first priority in assigning spaces to low-achieving low-income students. Similarly, if an LEA does not have sufficient funding to provide transportation to all students who wish to transfer, it would apply this priority in determining which students can receive transportation.

### **How long must an LEA continue to offer students in eligible Title I campuses the option to attend another public school?**

The LEA must offer choice to all students in an eligible Title I campus until the campus no longer is identified for school improvement, i.e., until the campus makes Adequate Yearly Progress (AYP) for two consecutive years.

**How long must students who change campuses be allowed to attend the campus of their choice?**

If an eligible student exercises the option to transfer to another public school campus, the LEA must permit the student to remain in that campus until he or she has completed the highest grade in the campus. However, the LEA is no longer obligated to provide transportation for the student after the end of the school year in which the student's campus of origin no longer is identified for school improvement.

**What if providing the option to transfer to another campus within the LEA is not possible?**

A number of LEAs may not have campuses available to which students can transfer. This situation might occur when all campuses at a grade level are in school improvement or when the LEA has only a single campus at that grade level. It also may occur in rural areas where a LEA's campuses are so remote from one another that choice is impractical. For example, if the only other elementary school is over 50 miles away, then choice likely is impractical. On the other hand, if other potential elementary school choices are located outside an LEA-defined attendance zone or internal district boundary, these LEA-defined boundaries may not be used to prevent student transfers.

When an LEA is unable to offer school choice for any reason, the LEA must, to the extent practical, enter into cooperative agreements with other LEAs in the area (or with open-enrollment charter schools in the State) that can accept its students as transfers. If an LEA is unable to enter into such cooperative agreements, the LEA then must offer additional educational services and supports to students or must implement campus reform strategies to address areas of low performance.