

FLORIDA DEPARTMENT OF EDUCATION



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K12: 2007-193

MEMORANDUM

TO: District Superintendents

FROM: Cheri Pierson Yecke, Ph.D.

DATE: December 10, 2007

SUBJECT: REALLOCATION OF UNEXPENDED FUNDS FOR NO CHILD LEFT BEHIND (NCLB) SCHOOL CHOICE OPTIONS

The No Child Left Behind (NCLB) Act requires districts with Title I schools identified as in need of improvement, corrective action, or restructuring to set aside an amount equal to 20 percent of the district's Title I, Part A, funding to provide choice options including supplemental educational services. If a lesser amount is needed to comply with these responsibilities and the school district can document it has fully met the demand for one or both options, the remaining funds from the 20 percent set-aside funding may be reallocated for other allowable activities that will increase student achievement of the lowest performing students in Title I schools.

According to Section 1008.331, Florida Statutes (Supplemental educational services in Title I schools; school district and provider responsibilities.--), a school district that has not spent the required supplemental educational services set-aside funding may apply to the Department of Education after January 1 for authorization to reallocate the funds. If the Commissioner of Education does not approve the reallocation of funds, the district may appeal to the State Board of Education. The State Board of Education must consider the appeal within 60 days of its receipt and the decision of the State Board shall be final.

CHERI PIERSON YECKE, PH.D.
CHANCELLOR, K-12 PUBLIC SCHOOLS

Pursuant to Section 1008.331, Florida Statutes, a school district has met compliance when it has obtained evidence of reception or rejection of services from the parents of at least a majority of the students in Title I schools who are eligible for supplemental educational services, unless a waiver is granted by the State Board of Education.

Districts that request authorization to reallocate the unused portion of the 20 percent set-aside must complete and submit the attached form to the Department documenting that the school district has fully met the demand for one or both options and complied with both federal and state requirements for reallocation. The Superintendent must sign and submit the attached assurance form that certifies that the district has:

- appropriately notified parents of the available options in understandable formats and multiple forums;
- offered parents a reasonable amount of time to investigate their options before submitting their request;
- used various measures to ensure that parents and students are provided the opportunity to use the option of their choice, including holding open enrollment for SES until the district received written evidence of accepting or rejecting services from the parents of at least a majority of the students receiving free or reduced-price lunch in Title I schools that are eligible for supplemental educational services.

Upon the Department's approval of the reallocation of the 20 percent set-aside, the district may choose to use the funds for any Title I allowable activity including, but not limited to, extended-day instructional services, high-quality professional development, or parental involvement activities. However, if the district originally reserved any portion of the 20 percent set-aside by reducing allocations to Title I schools, the funds must be allocated back to those schools. Also, once the funds have been released, they become subject to the equitable participation requirements for private school students. Please note that districts may only use the 20 percent set-aside for other appropriate activities after the funds have been approved by the Department for reallocation. After such approval, the district will be authorized to submit an amendment transferring the balance of the set-aside from the grant award issued for this purpose to the Title I, Part A, Basic grant. Instructions and guidelines will be forwarded with the approval for reallocation.

Department staff will review each district's documentation and make recommendations regarding approval of the district's request. Superintendents will receive notification as to whether the Department has approved or has not approved the reallocation of funds. If a district does not receive approval to reallocate funds, the letter of notification will describe the procedures and timelines in which the district may appeal to the State Board of Education. The State Board of Education will consider an appeal within 60 days of receipt of the appeal and its decision will be final.

Reallocation of Unexpended Funds
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Please submit the attached form by March 30, 2008, to:

Bureau of Public School Options
Florida Department of Education
325 West Gaines Street, Room 316
Tallahassee, Florida 32399

Districts may request, once every three years, to carry forward more than 15 percent of the total Title I, Part A, allocation. The requirements and limitations by which a district may carry over unexpended funds are explained in the Technical Assistance Paper disseminated by the Bureau of Contracts, Grants, and Procurement, dated September 2006. You may access this guidance at http://info.fldoe.org/docushare/dsweb/Get/Document-3988/tap_carryoveratt.pdf.

If you have any questions or need additional assistance, please contact Samantha Love or Mary Jo Butler at 850.245.0479 or via e-mail at samantha.love@fldoe.org or maryjo.butler@fldoe.org.

CPY:MJB:lbh

Attachment

cc: Assistant Superintendents for Curriculum and Instruction
District Title I Coordinators
District SES Contacts

**Florida Department of Education
NCLB Public School Choice Options
Student Participation for the 2007-2008 School Year**

District: _____

DOE USE ONLY
Date Received _____
Recommend Approval <input type="checkbox"/> Yes <input type="checkbox"/> No
Date Approved _____

1. STUDENT ELIGIBILITY AND ENROLLMENT

_____ Total number of students eligible for SES for which the district has written evidence from parents declining the options for choice with transportation and SES

2. PARENT OUTREACH EFFORTS

Date of Mailed Parent Notification(s) of
SES Enrollment Selection

Deadline for Parents to Notify District of
SES Enrollment Selection

Letter 1: _____
Letter 2: _____
Letter 3: _____

Deadline: _____
Deadline: _____
Deadline: _____

Newsletter, Backpack Flyer, or Other Written Notices for SES Notification

Item: _____
Item: _____
Item: _____

Date Distributed: _____
Date Distributed: _____
Date Distributed: _____

ADDITIONAL MEASURES USED TO INFORM PARENTS OF SCHOOL CHOICE OPTIONS

Informational Meetings:

Date: _____	Time: _____	Number of Parents Participating: _____
Date: _____	Time: _____	Number of Parents Participating: _____
Date: _____	Time: _____	Number of Parents Participating: _____

Provider Fairs:

Date: _____	Time: _____	Number of Parents Participating: _____
Date: _____	Time: _____	Number of Parents Participating: _____
Date: _____	Time: _____	Number of Parents Participating: _____
Date: _____	Time: _____	Number of Parents Participating: _____

Television and/or Radio Public Service Announcements/Newspaper Press Releases/Advertisements

Dates of Release: _____

Phone Calls to Parents:

Date Range of Phone Calls: _____	Number of Parents Called: _____
Date Range of Phone Calls: _____	Number of Parents Called: _____

3. ADDITIONAL COMMENTS OR MEASURES USED TO INFORM PARENTS OF SCHOOL CHOICE OPTIONS AND TO ENROLL ELIGIBLE STUDENTS IN SES:

4. UNIQUE OR EXTENUATING CIRCUMSTANCES THAT IMPACTED STUDENT PARTICIPATION IN SES:

5. DATA REPORTING OF STUDENTS WHO BEGAN RECEIVING SES FOLLOWING SURVEY 9 TO BE REPORTED VIA SURVEY 3 IN FEBRUARY 2007:

- _____ Number of students reported via Survey 9
_____ Number of students who began receiving services following Survey 9 to be reported via Survey 3 in February 2008
_____ Number of students enrolled to start receiving services after Survey 3 in February 2008

6. ASSURANCE AND SUPERINTENDENT CERTIFICATION:

Pursuant to Section 1008.331, Florida Statutes (Supplemental educational services in Title I schools; school district and provider responsibilities.--), this assurance is submitted to support that all requirements of Florida's NCLB Choice Options were implemented. All documentation is maintained at the district level to verify full compliance that the school district:

1. Developed and implemented a plan for communicating choice options to parents of eligible students.
2. Developed and implemented a plan for providing choice options to parents of eligible students.
3. Notified parents of the available NCLB choice options in understandable formats and through multiple forums.
4. Notified parents of eligible students, prior to and after the start of the school year, of the option to receive supplemental educational services.
5. Offered parents a reasonable amount of time to investigate their options before submitting their requests.
6. Implemented various measures to ensure that parents and students were provided the opportunity to use the option of their choice.
7. Held open student enrollment for state-approved SES until it obtained a written election to receive or reject services from parents of at least a majority of the eligible students enrolled in Title I schools that are required to offer choice with transportation or supplemental educational services.
8. Accurately reported students who participated in the district's choice options on the required format via Florida's Automated Student Data Base.

