

FLORIDA DEPARTMENT OF EDUCATION



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MEMORANDUM

TO: District School Superintendents

FROM: Pam Stewart

DATE: January 23, 2012

SUBJECT: **Reallocation of Unexpended Funds for No Child Left Behind School Choice Options**

Contact Information

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DPS: 2012-04



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 allocation to provide Choice with Transportation (CWT) and Supplemental Educational Services (SES). If a school district can document it has fully met the demand for one or both options and a lesser amount is needed, the remaining funds from the 20 percent set-aside may be reallocated for other allowable activities to increase student achievement in Title I schools.

According to Section 1008.331, Florida Statutes (SES in Title I schools; school district and provider responsibilities), a school district that has not spent the required 20 percent set-aside funding must apply to the Department of Education after January 1 for authorization to reallocate the funds for other Title I activities. 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.

A school district must ensure that eligible students and their parents have a genuine opportunity to sign up to transfer or to obtain SES by (a) providing timely, accurate notice to parents; (b) ensuring that enrollment forms for SES were distributed directly to all eligible students and their parents and were made widely available and accessible through broad means of dissemination; and (c) providing a minimum of two enrollment windows. Additionally, a school district must partner, to the extent practical, with outside groups to inform eligible families of the opportunities of NCLB School Choice and ensure that eligible SES providers were given access to school facilities, using a fair, open, and objective process.

PAM STEWART
CHANCELLOR OF PUBLIC SCHOOLS

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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 that are eligible for parental Choice with Transportation or Supplemental Educational Services, unless a waiver is granted by the State Board of Education.

The web-based system for district school boards to request authorization to reallocate the unused portion of the 20 percent set-aside and to document that it has fully met the demand for one or both options can be accessed directly at: <https://app1.fldoe.org/bsa/RequestReallocation/> or <http://www.fldoe.org/flbpso/> under "New and Hot Topics." You may begin completing your request to reallocate via the electronic system on January 23, 2012. The request must be completed and submitted to the Department by March 30, 2012.

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. If the request is not granted, the letter of notification will describe the procedures and timelines in which the district may appeal to the State Board of Education.

If you have any questions or need additional assistance, please contact Samantha Love at (850) 245-0479, or via email at Samantha.Love@fldoe.org.

PS/sll

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