



# ESEA Information Update

Wisconsin Department of Public Instruction/Elizabeth Burmaster, State Superintendent, P.O. Box 7841/Madison, WI 53707-7841

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## Topic: Overview of Parent Notification Requirements in NCLB

### Introduction

The Elementary and Secondary Education Act (ESEA), also known as the No Child Left Behind Act of 2001, requires schools to provide many different kinds of information and notices to parents about their children's school, academic progress, teachers, and more. Schools must make reasonable efforts to present the information in an understandable format and in a language parents can understand.

The major NCLB parent notifications schools or school districts are required to make are addressed in this document and are organized in the following manner:

#### **Title I—Improving the Academic Achievement of the Disadvantaged**

1. Teacher Information
2. District Report Cards
3. Schools Identified for Improvement: Adequate Yearly Progress of Schools and Parent Options to Transfer or Use Supplemental Services

#### **Title III—English Language Acquisition, Language Enhancement, and Academic Achievement**

Limited English Proficient Students

#### **Title X, Part C—Homeless Education**

#### **Schools and Districts Receiving Funds under Any NCLB Title**

1. Military Recruiters
2. Student Surveys

(For parent **involvement** requirements in NCLB, see DPI ESEA Information Update Bulletin No. 03.04).

## **Title I—Improving the Academic Achievement of the Disadvantaged**

### **1. Teacher Information**

At the beginning of each school year, school districts receiving Title I funds must notify all parents of children attending Title I schools that federal law gives parents the right to request information about the qualifications of their children's teachers and paraprofessionals. This information must be provided to parents in a uniform format, including alternative formats upon request, and to the extent practicable in a language that parents can understand. Districts must respond to such requests in a timely manner.

Parents have the right to request information on:

- Whether the teacher has met state qualifications and has a license for the grade level(s) and subject(s) he or she teaches.
- Whether the teacher has an emergency or provisional license.
- What degrees the teacher holds and the field of discipline of his or her certification or degree.
- The qualifications of any paraprofessionals serving their children..

In addition, Title I schools must notify parents of the following in a timely manner:

- The child's level of achievement on state assessments.
- When the child has been taught for 20 consecutive days by a teacher of a core academic subject (English, reading or language arts, math, science, history, civics and government, geography, economics, the arts, and foreign language) who does not meet the requirements of being highly qualified.

#### **For more information**

A sample letter to parents is available on-line at [www.dpi.wi.gov/esea/pdf/bul\\_0209.pdf](http://www.dpi.wi.gov/esea/pdf/bul_0209.pdf). Teacher license information can be accessed from the DPI website at <http://www.dpi.wi.gov/tepd/index.html>.

### **2. District Report Cards**

Each school district receiving Title I funds must publicly disseminate a report card to parents and the public that includes the following at the district and school levels:

- Aggregate student achievement at each proficiency level on state tests, including comparisons to state averages.
- Disaggregated student achievement at each proficiency level on state tests by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged. The local data must also show a comparison to state averages.
- Comparisons of student achievement by subgroup to the state's annual measurable objectives for each group on each test.
- The percentage of students not tested disaggregated by the above subgroups.

- The most recent two-year trend in student achievement in each tested subject area and grade level.
- Aggregate information of Adequate Yearly Progress (AYP) of students in achieving academic standards and a comparison to state averages.
- Graduation rates for high school students by subgroup and compared to state averages.
- The names, number, and percentage of schools identified for improvement (SIFI) and how long the schools have been identified for improvement.
- The professional qualifications of teachers (aggregate and disaggregated, comparing high-poverty to low-poverty schools).
- The percentage of teachers teaching with emergency or provisional licenses (aggregate and disaggregated, comparing high-poverty to low-poverty schools).
- The percentage of classes not being taught by highly qualified teachers (aggregate and disaggregated, comparing high-poverty to low-poverty schools).

District report cards must be disseminated to all parents of students attending district schools and be in a format and, to the extent practicable, in a language parents can understand. Districts must also make the report cards widely available to the public through means such as posting on the Internet, distribution to the media, and through public agencies.

### **For more information**

To meet federal reporting requirements, districts can link directly to their data on WINSS (Wisconsin Information Network for Successful Schools) from the district website and reference such links in written reports. Detailed student performance information by school and district is featured on WINSS at <http://data.dpi.state.wi.us/data/selschool.asp>

Districts have the option of including the URL for the WINSS website on preexisting School Performance Reports, newsletters, and/or other documents distributed to all parents with information about how to access WINSS for parents without home web access (local public library, school, etc.) and what Report Card data are included on WINSS. The following is a sample of the type of statement needed on these local documents:

These data and more detailed district and school information about test results, graduation, attendance, other academic indicators, teacher quality, and much more can be found on the DPI WINSS website. To find test results for [ADD DISTRICT NAME HERE], copy and paste the following URL into your browser: [INSERT URL HERE. YOU CAN GET THAT URL FOR YOUR DISTRICT BY COPYING THE URL THAT APPEARS WHEN YOU ARE LOOKING AT YOUR DISTRICT TEST RESULTS ON WINSS.] To find other data on WINSS, click on the Data Analysis logo on the upper right side of the page. If you do not have home Web access, visit [ADD NAME OF PUBLIC LIBRARY] or [ADD NAME OF SCHOOL WHERE COMPUTER MIGHT BE SET UP FOR THIS PURPOSE WITH HOURS OF ACCESS]. For further information or assistance, contact [NAME OF DISTRICT REPORT CARD CONTACT PERSON]. For tips on how to use the Data Analysis Section of WINSS go to [http://www.dpi.state.wi.us/sig/usetips\\_data.html](http://www.dpi.state.wi.us/sig/usetips_data.html).

### **3. Schools Identified for Improvement: Adequate Yearly Progress of Schools and Parent Options to Transfer or Use Supplemental Services**

NCLB requires all students to become proficient in reading and math by 2013-14. The state must set proficiency benchmarks each year, referred to as Adequate Yearly Progress or AYP, that all schools must reach.

Schools that fail to meet AYP for **two** years in a row are identified for improvement. Schools identified for improvement that receive Title I funds must promptly notify parents of all children enrolled in the school that the school has been identified for improvement. The notice to parents must include:

- An explanation of what the identification means.
- The reason for the identification.
- How the school compares with other schools in the district and the state in terms of academic achievement.
- What the school is doing to address low achievement.
- What the district and state will do to help the school.
- How parents can become involved in helping the school improve academically.
- An explanation of parents' options to transfer their children to another public school or to receive supplemental educational services.

Schools that do not show adequate yearly progress for **two** consecutive years must offer parents the option of transferring their children to another public school. Schools that do not show adequate yearly progress for **three** consecutive years must offer parents supplemental education services in addition to school choice.

#### **Transferring to another Public School**

Parents must be notified of the right to transfer their children to another public school not identified for improvement within the district before the start of the next school year after the school has failed to meet AYP. Although all children must be given the option to transfer, priority will go to the lowest-achieving students from low-income families. Parents must be given a choice of more than one school, if available, and be notified of the following:

- The option to transfer to another public school.
- Schools to which children may transfer.
- The academic achievement of the schools to which children may transfer.
- How free transportation will be provided as long as the child's original school remains in improvement, corrective action, or restructuring status.

The notice to parents must be in a format and language that parents can understand. Schools in improvement status also must involve parents in developing a plan to improve the academic achievement of students.

#### **Supplemental Education Services**

Schools identified for improvement for three years in a row are required to annually notify parents of eligible students, in a language and format parents can understand, that

supplemental education services are available. Schools must also furnish parents with a state-approved list of service providers.

### **Notice to Parents**

The notice to parents must contain information about the following:

- The availability of supplemental services no later than the end of the first full year after the school has been identified for improvement.
- A list of state-approved supplemental service providers in the school district or those reasonably available in nearby districts.
- A brief description of the services, qualifications, and demonstrated effectiveness of each provider.
- How parents can request and obtain help from the school in choosing a provider.
- Fair and equitable procedures to be used if approved providers are oversubscribed and unable to take additional students.

The school must protect the identities of students eligible for or receiving supplemental services.

### **For more information**

ESEA Information Update Bulletin No. 02.07 on supplemental education services and public school choice is available on-line at [http://www.dpi.wi.gov/esea/pdf/bul\\_0207.pdf](http://www.dpi.wi.gov/esea/pdf/bul_0207.pdf). A list of state-approved supplemental service providers is available at <http://www.dpi.wi.gov/esea/supplemental.html>.

## **Title III— English Language Acquisition, Language Enhancement, and Academic Achievement**

### **Limited English Proficient Students**

Title III funds sent to eligible school districts must be used to provide language instruction education to students with limited English proficiency (LEP). Schools and school districts receiving Title III funds must notify parents of children identified for participation in an LEP program no more than 30 days after the start of the school year. For a child identified as in need of an LEP program after the start of the school year, parents must be notified within two weeks of placement in a program.

Districts and schools using Title III funds must notify parents of the following:

- The reasons for identifying the child as limited English proficient and for placing the child in a language instruction educational program for LEP students.
- The child's level of English proficiency, including how the level was assessed and the status of the child's academic achievement.
- The instructional methods to be used in the program in which the child is participating or might be assigned to and a description of all language programs that differ in content, use of English, and a native language.
- How the program will meet the educational strengths and needs of the child.

- How the program will help the child learn English and meet age-appropriate academic achievement standards.
- Specific exit requirements of the program, including when the transition will take place. Secondary schools also inform parents of the child's expected date of graduation.
- For children with a disability, how the program will meet the objectives of an individualized education program (IEP).

The notification must include written guidance that explains the following:

- The parent's right to have his or her child removed, immediately upon request, from the language instructional program.
- The other possible programs or methods of instruction available and the parent's option to decline enrolling his or her child.
- How parents will receive assistance in selecting another program or method if one is offered by the district.

School districts are also required to notify parents of LEP children participating in a Title III program if the program is failing to help the child make progress on annual measurable achievement objectives. This notice must be provided no later than 30 days after the failure occurs and, as with all notices, must be in an understandable and uniform format and, to the extent practicable, in a language parents can understand.

A child may not be admitted to or excluded from any federally assisted education program on the basis of a surname or language minority status.

### **For more information**

A brief summary of NCLB provisions for Title III, the education of limited English proficient and immigrant children, is available on the DPI website at <http://www.dpi.wi.gov/esea/tiiisummary.html>.

## **Title X, Part C—Homeless Education**

All Wisconsin school districts have new responsibilities in Title X of the NCLB, whether or not the district receives funds under the McKinney-Vento Homeless Assistance Act. Districts must ensure that homeless children have access to the same educational opportunities as non-homeless children, including opportunities to meet the same challenging state academic standards.

School districts must disseminate notice of homeless children's education rights in schools; family, domestic abuse, and runaway shelters; soup kitchens; and wherever services to homeless children and families are offered.

Schools are required to notify parents of homeless children (and unaccompanied youth) of the following rights:

- The availability of a local district staff person as a liaison for homeless children.
- Immediate enrollment and school participation, even if educational and medical records and proof of residency are not available.

- The availability of educational opportunities and related opportunities for homeless students (preschool to age 21), including unaccompanied youth.
- Enrollment and transportation rights, including transportation to the school of origin. “School of origin” is defined as the school the child attended when permanently housed or when last enrolled.
- Written explanation of why a homeless child is placed other than in a school of origin or school requested by the parent, with the right to appeal within the local dispute resolution process.
- Meaningful opportunities for parents to participate in the education of their children.

### **For more information**

Visit the DPI Education of Homeless Children and Youth web pages at <http://dpi.wi.gov/homeless/>.

## **Schools and Districts Receiving Funds under Any NCLB Title**

### **1. Military Recruiters**

Schools and school districts receiving funds under any NCLB Title program must, upon request, provide student directory data (names, addresses, telephone numbers) to military recruiters and institutions of higher education. School districts must notify parents of their right to request that this information be withheld from disclosure, and districts must comply with such requests.

### **For more information**

More detailed information is available in ESEA Information Update Bulletin No. 02.12 at [http://www.dpi.wi.gov/esea/pdf/bul\\_0212.pdf](http://www.dpi.wi.gov/esea/pdf/bul_0212.pdf). The bulletin also contains a sample letter to parents, called Family Educational Rights and Privacy Act (FERPA) Model Notice for Directory Information.

### **2. Student Surveys**

School districts receiving funds under any U.S. Department of Education program must notify parents of their right to inspect certain student surveys and to opt their children out of those surveys and other activities that collect, disclose, or use personal information from students, including materials designed to sell or market student information to others. The types of surveys include those created by third parties (outside of the school district) and their subject matter is specified below. Parents must be notified of their rights before the survey is distributed to students.

Schools must involve parents in establishing policies that annually notify parents of this right at the beginning of each school year and when substantive changes are made to related school policies. The notice to parents must state the specific or approximate dates during the school year when activities are scheduled.

If a survey asks students for information in any of the following eight categories, schools must give parents the right to inspect the survey:

- Political affiliations or beliefs of students or their family.
- Mental and psychological problems of students or their family.

- Sex behavior or attitudes.
- Illegal, anti-social, self-incriminating, or demeaning behavior.
- Critical appraisals of individuals with whom students have close family relationships.
- Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
- Religious practices, affiliations, or beliefs of students or their parents.
- Income (other than that required by law to determine eligibility for program participation or financial assistance).

School districts must provide the survey to parents within a reasonable amount of time after the request and before surveys are distributed to students. Districts must also involve parents in developing and adopting policies that establish the right of parents, upon request, to inspect student surveys and opt their children out.

**For more information**

ESEA information update on student surveys is available on the DPI website at [http://www.dpi.wi.gov/esea/pdf/bul\\_0214.pdf](http://www.dpi.wi.gov/esea/pdf/bul_0214.pdf).