

US Department of Education
Public Charter Schools Program
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NCLB

DRAFT

8/5/02

Title I and Charter Schools

On January 8, 2002, President Bush signed into law the *No Child Left Behind Act* of 2001 (NCLB). The new law seeks to increase the academic achievement of every child through substantial changes in the Elementary and Secondary Education Act (ESEA). The new law focuses on increased flexibility and local control, expanded options for parents, an emphasis on teaching methods that have been proven to work and most significantly, stronger accountability for results.

What does NCLB mean for charter schools? More specifically, what does it mean for public charter schools identified as eligible Title I schools?

The Public Charter School Office and the Title I Office are working together to develop Non-Regulatory Guidance on Title I issues related to charter schools and are interested in feedback from the field regarding specific questions that should be addressed in the guidance. We want to know if there are additional questions, beyond the ones listed below, which need to be answered in the guidance document. *We are not seeking suggestions on the answers to these questions at this time.*

Please respond by August 12, 2002 to Dean Kern, Director, Public Charter Schools Program, dean.kern@ed.gov.

Topics

Highly Qualified Teachers

1. What qualifications do teachers in Title I charter schools have to meet under NCLB? When do they need to meet them?
2. What qualifications do teachers in all charter schools (whether they receive Title I funds or not) have to meet? When do they need to meet them?
3. What options do current charter school teachers have to meet these qualifications?
4. What qualifications do charter school paraprofessionals have to meet? When do they need to meet them?
5. What options do current school paraprofessionals have to meet these qualifications?

Adequate Yearly Progress and Accountability

1. How should charter schools establish a baseline for the purpose of AYP?
2. When does the “clock” start on charter schools for purposes of AYP?
3. How can new charter schools determine their baseline for AYP?
4. Are provisions made for charter schools that rapidly expand?

Alignment of Charter Authorizers and Federal Obligations

1. What should a charter school do if there is a conflict between the measures and timelines under their contract with their charter authorizer and the federal accountability measures and timelines?
2. What if a charter school fails to meet its contractual requirements but meets the requirements under NCLB?
3. What if a charter school fails to meet the requirements under NCLB but meets its contractual requirements?
4. How can charter renewal decisions be determined if their timeline does not align with the timeline for AYP?

Special Populations of Students

1. Do charter schools that specifically serve “at-risk” or LEP populations have to meet the same accountability standards as other Title I schools under AYP?

Applying Corrective Action

1. Does corrective action need to be applied to charter schools under the requirements of NCLB or under state law in cases where they differ?
2. How can charter schools with LEA status fund corrective actions?

*charters by
virtue of
legislation
have a set of
rules*

Charter Schools and School Choice

1. Is a charter school that operates as an LEA required to accept students eligible for public school choice under the Title I provisions from another school (district)?
2. If a charter school operates within an LEA, does priority need to be given to public school choice students desiring to attend their school?
3. Do charter schools that admit students on a lottery basis have to give priority to students eligible for public school choice under the Title I provisions to attend their school?

Title I Allocations

1. Does a charter school receiving Title I students transferring from a school identified for school improvement or corrective action also receive Title I dollars? Does the money “follow the child”?

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