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State and Local Implementation of the *No Child Left Behind Act*

Volume IV—Title I School Choice and Supplemental Educational Services: Interim Report

A report from the National Longitudinal Study of *No Child Left Behind* (NLS-*NCLB*) and the Study of State Implementation of Accountability and Teacher Quality Under *No Child Left Behind* (SSI-*NCLB*)

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EXECUTIVE SUMMARY

A key aim of the federal *No Child Left Behind Act of 2001 (NCLB)* is to provide new educational options to parents whose children attend Title I schools[1] that are identified for improvement, corrective action, or restructuring because the schools have not made adequate yearly progress (AYP) toward meeting state standards for two or more years. The first of these options is the opportunity for parents to transfer their children to another school in the district that has not been identified. The second option is the opportunity for parents to enroll their children in supplemental educational services—such as tutoring, remediation, or other academic instruction—that are offered by a state-approved provider and are in addition to instruction provided during the school day. This option is available to low-income families whose children attend a Title I school that is in Year 2 (or a later year) of identified for improvement status.

This report presents findings on the implementation of parental choice options from the first year of the National Longitudinal Study of *No Child Left Behind* (NLS-*NCLB*) and the Study of State Implementation of Accountability and Teacher Quality Under *No Child Left Behind* (SSI-*NCLB*). The report uses data from state-level interviews, from surveys of a nationally representative sample of district officials, principals, and teachers, surveys of parents in eight school districts, surveys of supplemental educational service providers in 16 districts, and student-level demographic and achievement data in nine districts, to examine the implementation across the country of the school choice and supplemental educational service components of Title I through 2004–05.

KEY FINDINGS

- In 2004–05, nearly 6.2 million students were eligible for Title I school choice and as many as 1.8 million were eligible for Title I supplemental educational services. The number of students participating in the options grew rapidly from prior years, but only about 1 percent of eligible students took advantage of the school choice option, and about 17 percent (in 2003–04) took advantage of supplemental services.[2] School choice options were constrained at the middle and high school levels, because large numbers of school districts have only one middle school or high school. Eligible high school students also apparently had fewer Title I supplemental service options: In a subsample of districts, providers were less likely to offer services for secondary school students and participation rates were lower.

- In a subsample of large urban districts with available data, the average achievement of the schools chosen by students using the Title I school choice option were consistently higher than the average achievement of the schools they came from, and their parents were largely satisfied with the new schools.

- Title I supplemental service options expanded rapidly between 2003 and 2005 with the number of approved providers tripling. The majority of providers were private (nonprofit and for-profit)

[1] Title I schools are schools that operate programs funded under Title I of the *Elementary and Secondary Education Act of 1965 (ESEA)*, the largest federal program supporting elementary and secondary education. Title I, Part A, includes the two parental choice options that are the subject of this paper. The *No Child Left Behind Act of 2001* is the most recent reauthorization of *ESEA*.

[2] Supplemental service participation rates could not be determined for 2004–05 because surveys were administered in the middle of the school year and not all supplemental service enrollments for the year had yet taken place. The Consolidated State Performance Reports for 2004–05 indicated that 19 percent of students participated in supplemental services in that year (50 states and the District of Columbia).

organizations, and private providers served the majority of students. In a subsample of eight districts, most parents of students participating in supplemental services were satisfied with the services.

- Low participation rates in Title I school choice and supplemental educational services may be related to problems communicating with parents. Most school districts did not notify parents of their school choice options before the start of the school year, and many eligible parents in the eight-district subsample reported that they had not received information about Title I school choice or supplemental service options.

- As of 2004–05, most states were working to develop and implement standards for the monitoring and evaluation of Title I supplemental service providers; only a small number of states had statewide databases incorporating participation and achievement information that would permit rigorous evaluations of providers' effects. Meanwhile, providers' communication with school staff and coordination with school academic programs varied substantially.

EVALUATION QUESTIONS AND DATA SOURCES FOR THIS REPORT

This report addresses three broad areas in evaluating the Title I provisions for providing school choice and supplemental services for students in low-performing schools:

1. Who is eligible to participate in parental school choice and supplemental educational services under Title I of *NCLB*, what choices are made available, and who participates?
2. How are states, districts and schools providing information to make parents aware of their options? What information do parents have and use to make decisions about their school choice and supplemental service options?
3. How do states, districts, and schools support, monitor, and collaborate in the implementation of supplemental educational services under Title I?

One chapter of this report is devoted to each of these areas. Another report[3] addresses a fourth evaluation question:

4. What are the effects of the Title I parental choice provisions on the achievement of participating students?

OVERVIEW OF THE PARENTAL CHOICE PROVISIONS OF *NCLB*

Increased choice for parents of children in persistently low-achieving schools is one of the key principles of *NCLB*.[4] Title I schools that do not meet state goals for "adequate yearly progress" (AYP) for two consecutive years are identified for improvement. *NCLB* requires that parents of students in Title I schools that are identified for improvement be given the option to transfer their children to another public school that has not been identified for improvement, with transportation provided by the district.

Access to supplemental educational services is an additional parental choice available under Title I of *NCLB*. Students from low-income families in schools that have been identified for improvement are eligible to receive supplemental services from a provider selected by parents if the school falls short of AYP for a third time before exiting improvement status. These services are to be free to parents and

[3] Zimmer, Gill, Razquin, Booker and Lockwood, 2007.
[4] *No Child Left Behind Act of 2001*, Sec. 1116, para. (1)(E) and (5)(A).

students; must be provided outside the regular school day; and may include tutoring, after-school services, and summer school. Supplemental services may be provided by a variety of state-approved organizations, including for-profit and nonprofit organizations, faith-based organizations, school districts, and public or private schools. Each state is responsible for developing criteria for approving providers and for providing school districts with a list of available, approved providers in their geographic locations, and for monitoring and evaluating the performance of providers.

Parents are permitted to select a supplemental service provider from a list of providers that have been approved by the state. School districts, in consultation with parents and providers, must develop specific educational goals for each participating student and enter into contracts with providers to serve individual students. Title I supplemental service providers are responsible for measuring students' progress and reporting regularly on that progress to teachers and parents. States are responsible for monitoring and evaluating provider performance.

These parental choice options are closely linked to the accountability provisions of *NCLB* that give parents information on which schools in their communities are succeeding and which are not. Districts are required to notify parents of eligible students of choice options in a timely manner and to provide parents with the information needed to make informed decisions. The choice provisions are intended to provide better options to individual students in low-performing schools, improve outcomes for students who transfer or receive supplemental services, and pressure low-performing schools to improve. The law thereby aims to improve outcomes for all students.

ELIGIBILITY, AVAILABILITY AND PARTICIPATION

In 2004–05, nearly 6.2 million students were eligible for Title I school choice and as many as 1.8 million students were eligible for supplemental services.[5]

In 2004–05, 18 percent of Title I schools were identified for improvement, with the consequence that their students were eligible for school choice. Some of these schools—8 percent of all Title I schools—were in the second year of improvement status or beyond, making their students also eligible for Title I supplemental services.

One-fourth (26 percent) of K–12 students in Title I schools were eligible for Title I school choice and 8 percent were potentially eligible to receive Title I supplemental services. The number of students eligible for choice options grew substantially from 2002–03 to 2004–05.

High-poverty, high-minority, and urban Title I schools were more likely to have students who were eligible for Title I school choice and supplemental services. Thirty-seven percent of high-poverty Title I schools (schools with 75 percent or more of students receiving free or reduced-price lunches) had students eligible for school choice, compared with 5 percent of low-poverty Title I schools (schools with less than 35 percent of students receiving free or reduced-price lunches). Similarly, 18 percent of high-poverty Title I schools had students eligible for supplemental services, compared with 2 percent of low-poverty Title I schools. High-minority and urban schools likewise comprised a disproportionate share of those required to offer Title I choice and supplemental services.

[5] The 1.8 million students eligible for Title I supplemental services represent a maximum number of students potentially eligible, estimated from the number of students receiving free or reduced-price lunches in Title I schools that must offer supplemental services. If resources were insufficient to serve all such students, then districts were permitted to offer services only to low-achieving students among the population.

Nationally, the participation rate for Title I supplemental educational services was substantially higher than for Title I school choice, but in both instances, most eligible students did not participate.

In 2003–04, 233,000 students received Title I supplemental services while 45,000 students used the Title I school choice option to transfer to a school not identified for improvement (in 2004–05).[6] Both of these numbers represented substantial increases from 2002–03 when 18,000 students used Title I school choice and 42,000 used supplemental services. School choice participants under Title I represented about 1 percent of eligible students in 2004–05, a participation rate that was comparable to that of the previous year. Supplemental service participants represented 17 percent of the total number of students estimated to be eligible. In the nine-district subsample, participation rates in Title I supplemental services were highest in elementary grades.

In a subsample of nine large, urban districts, students who participated in Title I supplemental educational services had lower scores than the eligible student population had. Students who participated in Title I school choice had scores nearly identical to those of the eligible student population.

Overall, average prior test scores for reading and math of students participating in supplemental services were 0.12 of a standard deviation lower than those of the eligible population. However, there were no statistically significant differences in prior reading and math test scores for students participating in the school choice option relative to the eligible population. Average test scores of students eligible for supplemental services and school choice were similar because these populations largely overlap.

Most districts required to offer Title I school choice reported offering eligible students school choice options; however, districts were more likely to provide options at the elementary level than at the middle and high school levels.

At the elementary level, 70 percent of districts with one or more elementary schools identified for improvement reported offering parents in those schools the option to transfer their child to another school (see Exhibit S.1). By contrast, approximately two-thirds of districts with middle or high schools identified for improvement were not offering school choice at those grade levels because all the schools at that grade level were identified for improvement; indeed, a large proportion of these districts operate only one middle school and one high school. As a consequence, the school choice option was much less frequently available in secondary grades. At the middle school level, only 20 percent of affected districts reported offering the school choice option to parents, while the comparable figure for the high school level was 17 percent. Among districts offering school choice to eligible students, 40 percent reported that at least one student actually transferred schools in 2004–05.

[6] The 233,000 students using Title I supplemental services may include an unknown number of students not eligible for such services under the law because some districts notified a larger pool of students than the law required. Supplemental service participation rates could not be determined for 2004–05 because surveys were administered in the middle of the school year; not all supplemental service enrollments for the year had yet taken place. Data from the Consolidated State Performance Reports for 2004–05 indicate that 446,000 eligible students participated in Title I supplemental services that year (based on 50 states, the District of Columbia, and Puerto Rico).

Exhibit S.1
Percentage of Districts and of Students in These Districts Reporting Availability of Title I School Choice Option, by School Level, 2004–05 (Among Districts Required to Offer Choice)

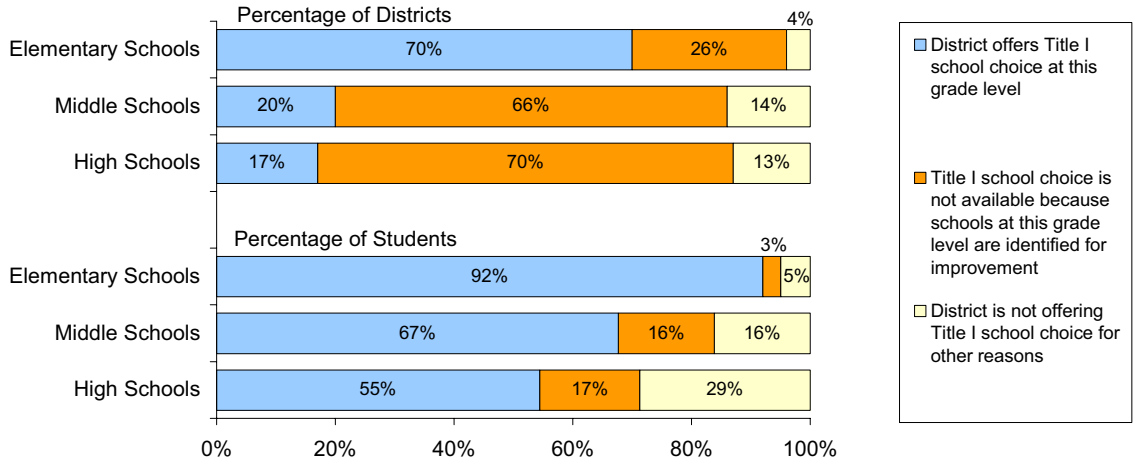

Exhibit reads: Seventy percent of districts required to offer school choice at the elementary level reported they were offering school choice at that grade level. Ninety-two percent of students in districts required to offer choice were located in these districts.

Source: NLS-*NCLB*, District Survey; SSI-*NCLB,* National AYP and Identification Database (n=124, 107, 72 districts, respectively, for elementary, middle, and high schools).

In nine large, urban districts, students who used the Title I school choice option transferred to higher-performing schools.

Students using school choice moved from schools with below-average achievement levels to schools with above-average achievement levels in every one of the nine districts. In several of the districts, the difference in achievement levels between chosen schools and former schools exceeded half a standard deviation. Across the nine districts, average achievement levels in the chosen schools exceeded average achievement levels in the schools left behind by nearly four-tenths of a standard deviation.

In 2004–05, most districts required to offer Title I supplemental educational services reported offering these services to eligible elementary and middle school students; One-third of districts did so for eligible high school students.

Most districts with eligible high school students did not offer Title I supplemental services in 2004–05, in part because providers were themselves far less likely to offer services to high school students than to elementary and middle school students (at least in a subsample of 16 districts where providers were surveyed).

A majority of districts required to offer Title I supplemental educational services reported that parents could choose from multiple providers, and most had at least one student participate in 2003–04.

A majority of districts (63 percent) reported that parents could choose from at least three Title I supplemental service providers, and 38 percent reported they could choose among five or more providers. Among districts required to offer supplemental services, 88 percent reported that at least one student participated in 2003–04.

From May 2003 to May 2005, the number of state-approved Title I supplemental educational service providers in the nation tripled.

The total number of supplemental educational service providers increased from 997 in May 2003 to 2,734 in May 2005. The largest increase occurred among private providers. Private providers accounted for 60 percent of all state-approved providers in May 2003 and 76 percent in May 2005. Meanwhile, school districts and public schools declined in their proportion of all providers, from 33 percent in May 2003 to 17 percent in May 2005. Although districts and public schools, institutions of higher education, and other types of non-private providers accounted for a smaller proportion of the total number of providers in May 2005 than they did three years earlier, all types of providers increased substantially in number over the three years.

Private providers served 58 percent of students participating in Title I supplemental educational services in 2003–04 and another 34 percent of students received supplemental services from districts or public schools.

National for-profit companies, which served 39 percent of participating students, served the largest proportion of students served by private providers. The remainder of students received supplemental services from faith-based and community-based providers, from colleges and universities, or through distance learning.

Title I supplemental educational service providers reported providing an average of 57 hours of services per student per year.

Providers reported an average of 3.5 sessions per week and 84 minutes per session, suggesting a weekly average dose of nearly five hours. They also reported an average of 41 sessions provided to students annually, suggesting an average duration of services of 12 weeks. Parents reported a similar intensity of weekly services as that reported by providers.

Nine out of ten parents of students participating in Title I supplemental educational services were satisfied with the services; half of such parents were very satisfied. More than 8 out of 10 parents who participated in Title I school choice were satisfied with that decision.

A large majority (91 percent) of responding parents of supplemental service participants in the subsample of eight urban districts reported satisfaction with the services; 53 percent were very satisfied. Among parents who transferred a child to a non-identified school, half reported that they were "very satisfied" with their decision and another third were "satisfied."

COMMUNICATION WITH PARENTS

Most districts required to offer Title I school choice and supplemental educational services reported notifying eligible parents of their options; however, most eligible parents in a sample of eight urban districts said they had not been notified—despite the fact that all eight districts offered these choice options and produced notification letters.

Sixty-two percent of the districts required to offer Title I school choice and 97 percent of districts required to offer supplemental educational services reported that they notified parents of the options available to their children. Most of the districts that did not notify parents of their eligibility for school choice were not offering school choice.

In a sample of eight urban districts, however, two-thirds of parents of students eligible for school choice indicated they had not been notified of their option to move their child to another school—despite the fact that all eight districts reported that they had offered choice to such parents (and provided copies of the parent information letter that they had sent out). Fifty-three percent of eligible parents said they were not notified of the Title I supplemental services option—again, despite the fact that all eight districts said they had notified parents of their options. Only about a quarter of parents of students in schools identified for improvement knew that the schools were so identified.

In 2004–05, less than one-third (29 percent) of districts required to offer school choice notified parents of eligible students before the beginning of the school year.

About half (49 percent) of the districts required to offer Title I school choice reported that they notified parents of the availability of this option after the first day of school and those districts notified parents an average of five weeks after the beginning of the school year. One reason for the late notice to parents may be that many states did not release school AYP lists to districts until late in the summer or early in the fall. Seven states provided districts with preliminary school identification results before August. Twenty-four more states provided preliminary results in August, leaving little or no time before the start of the school year, and 19 states and Puerto Rico provided preliminary results later than August, often after school had already begun.

Districts that notified parents about Title I school choice before the first day of school had higher participation rates than districts that notified parents on or after the first day of school.

In districts where parents were notified about the Title I school choice before the start of the school year, 2.9 percent of eligible students participated. In contrast, in the districts that did not notify eligible parents until after school started, the participation rate was 0.2 percent. This result is consistent with the result of parent survey data, which show that in a sample of eight urban districts, parents who took advantage of the school choice option were substantially more likely to have been informed before the start of the school year (62 percent) than were parents who kept their children in identified schools (38 percent).

The most frequent reasons parents gave for deciding to move their child to a school not identified for improvement were the better quality of teaching and good discipline and safety at the new school (reported by 52 and 49 percent of parents who used the school choice option, respectively).

Another related reason that parents gave for using the choice option was that their child's old school was not meeting his or her needs (47 percent).

IMPLEMENTING AND MONITORING SUPPLEMENTAL EDUCATIONAL SERVICES

As of early 2005, most states were working to develop and implement systems for monitoring and evaluating Title I supplemental educational service provider effectiveness, but very few had databases that would permit statewide examination of the achievement results of participating students.

States with evaluation standards planned to use a variety of measures of effectiveness. Seventeen states said they will evaluate provider effectiveness based on student achievement on state assessments, although only one of these planned to use a matched control group. Twelve states and Puerto Rico reported that they planned to allow the use of provider-developed tests, and ten states intended to use other measures, such as student grades, homework completion, or school- or teacher-administered tests. Seventeen states said they planned to measure parent or student satisfaction with the services.

Although *NCLB* does not give districts a formal role in the monitoring and evaluation of Title I supplemental educational services, providers reported higher frequencies of monitoring by districts than by states.

Three-quarters of providers in a subsample of 16 districts reported that student attendance rates at supplemental services were tracked by districts at least a few times per year, while only 35 percent reported a similar frequency of monitoring by states. Nearly half of providers reported that districts tracked student attendance rates for supplemental services monthly. Observations of Title I supplemental service sessions were the next most common method of monitoring by districts, reported by half of providers as occurring at least a few times per year. Ten percent of providers reported that they were not monitored by the state in any way, although less than 1 percent reported that they had received no monitoring from either the district or state.

Some district contracts required that a certified teacher supervise supplemental service sessions and some imposed caps on the number of students served by a given provider.

Districts reported spending an average of $875 per participating pupil on Title I supplemental educational services in 2003–04.

Total spending on Title I supplemental educational services was estimated to be $192 million in 2003–04.

Most providers reported that they communicated with the regular classroom teachers of their students, but one in five never did so.

Seventy percent of Title I supplemental educational service providers reported that they communicated with the classroom teachers of their students at least a few times per year. However, a non-negligible minority of providers (19 percent) reported no contact with classroom teachers.

CONCLUSIONS

Most districts reported that they offered Title I school choice and supplemental educational services if they were required to do so, and the number of students participating in both options (especially supplemental services) increased substantially from the initial implementation of *NCLB* to the most recent year with available data. Nonetheless, only a small proportion of eligible students actually participated in the choice options available to them. Three notable issues may have contributed to reduce participation:

1. **Absence of available options.** A substantial number of districts—usually small districts with few schools—had no non-identified schools to which students in identified schools could transfer. An absence of non-identified schools is especially common at the middle and high school levels. With respect to supplemental services, providers were far less likely to offer services to high school students than to younger students.
2. **Timing of notification.** Less than one-third of districts required to offer Title I school choice notified parents of eligible students before the beginning of the school year.
3. **Problems with communication.** While almost all of the districts offering Title I school choice and supplemental educational services reported that they notified parents of the options available to their children, many parents were not aware of their options.

For families that participated in Title I school choice, there are signs of promise. Parents who took advantage of Title I school choice were very satisfied with the new schools—which have substantially higher average student achievement than did the schools departed by the transfer students (at least in nine large, urban districts subsampled), as intended by *NCLB*. Moreover, students using the school choice option had lower than average levels of prior achievement.

Parents were likewise satisfied with Title I supplemental educational services. The availability of supplemental services has grown rapidly over the past several years contributing to the rise in participation. Participating students—who also tend to be low-achieving and apparently in need of the services—received an average of 57 hours of additional instructional time. But systems for monitoring providers and evaluating their effectiveness are only in their infancy.

In short, states, districts, and providers were working to implement Title I school choice and supplemental educational services, but whether they will meet the expectations envisioned in the law of providing a range of educational options to parents of students in persistently low-performing Title I school is not yet clear.