

When should an LEA notify parents about their child’s eligibility for SES, and when should services begin?

At least annually, an LEA must provide notice to the parents of each eligible student regarding the availability of SES. Specific information about the timing of services should be provided directly to the parents of eligible students so that there is sufficient time to allow them to select an SES provider. Ideally, an LEA should notify parents about their options to transfer their child to another public school or to receive SES (provided their child is eligible) at the same time so that parents can make an informed decision about which option would be best for their child. However, because an LEA must provide notice regarding public school choice “sufficiently in advance of, but no later than 14 calendar days before, the start of the school year” [34 C.F.R. §200.37(b)(4)(iv)], an LEA may not yet have available all of the required SES information to provide to parents at that time. The Department strongly encourages that, at a minimum, an LEA acknowledge in its public school choice notification to parents that SES are also an option for eligible students and that additional information about SES will be forthcoming. The LEA should then provide the required information as early as possible in the school year, and begin offering SES in a timely manner thereafter.

Supplemental Educational Services
Non-Regulatory Guidance
January 14, 2009

When must an LEA offer public school choice to eligible students?

An LEA must offer public school choice when it notifies parents that a school has been identified for school improvement, corrective action, or restructuring [34 C.F.R. §200.44(a)]. An LEA must notify parents of eligible students of the availability of public school 5 choice sufficiently in advance of, but no later than 14 calendar days before, the first day of the school year following the school year in which the LEA administered the assessments that resulted in the school being identified for school improvement, corrective action, or restructuring [34 C.F.R. §200.37(b)(4)(iv)]. An LEA should offer public school choice as early as possible so that parents may consider their choice options well in advance of the start of the school year.

Public School Choice
Non-Regulatory Guidance
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