Ohio Department of Education

CCIP Note #291

Keywords: Supplemental Educational Services and Public School Choice
Attention: Superintendents, Treasurers, and Consolidated Application Contacts
Summary: Ohio ESEA Flexibility Waiver, LEAs are no longer required by Federal law to offer Supplemental Educational Services (SES) or Public School Choice (PSC).

Ohio ESEA Flexibility Waiver

FYI

Superintendents, Treasurers, and Consolidated Application Contacts

Under the Ohio ESEA Flexibility Waiver, LEAs are no longer required by Federal law to offer Supplemental Educational Services (SES) or Public School Choice (PSC). However, beginning in the 2012-2013 school year, LEAs must provide parents with information to explain why SES and transportation for PSC will no longer be offered, explain the interventions, incentives, and supports that will replace those options and provide other relevant details regarding the termination of the existing services. This information should be provided as early as feasible so that parents may plan accordingly. Please use multiple methods of communications including, but not limited to, letters, flyers, posting on LEA websites, newsletters and/or other communication to parents in a language and format that is understandable.

Please note that, although LEAs will no longer be obligated by Federal law to provide transportation for PSC, a student who is already taking advantage of PSC must be permitted to remain at his or her school of choice until he or she has completed the highest grade in that school because ESEA flexibility does *not* waive ESEA section 1116(b)(13). This right should be clearly explained to parents in the information that is provided regarding the changes being made with respect to the provision of SES and PSC. To enable parents to exercise this right, LEAs are encouraged to consider providing transportation to these schools of choice beyond the end of the 2011-2012 school year.

ODE no longer maintains or approves a list of SES providers. LEAs must maintain all SES records for at least 3 years (EDGAR 80.42).

FY12 SES reporting requirements that still must be completed:

- Effectiveness Reports-June 29, 2012.
- Required data for the Consolidated State Performance Report, collected using the AYP 2012 system, due October 2012.