
A Summary of *No Child Left Behind's*
SUPPLEMENTAL EDUCATIONAL SERVICES
– Buffalo –

Initiated by the federal *No Child Left Behind* Act, the New York State Education Department has designated 43 Buffalo public schools – more than half of all public schools in the district – as “failing” for the 2003-04 school year. Of these, 19 schools have been determined to be most critically in need of improvement because they failed to meet performance goals for three or more consecutive years.¹ The Buffalo City School District is required to offer funding for supplemental educational services (SES) – such as tutoring, after-school programs, summer school, etc. – to low-income students attending these 19 failing schools. (For a list of the 2003-04 failing schools in Buffalo where students qualify for SES, see Attachment A.) According to data provided by the *Buffalo News*, approximately 9,000 students are eligible to request SES for the 2003-04 school year.²

Additionally, parents of children attending 33 of the 43 failing schools have the right to transfer their children to non-failing public schools (also see Attachment A).

Parents are able to select from a list of approved providers of free tutoring and other services that have been approved by the State Education Department for Buffalo (see Attachment C for a list of approved providers).³ Providers of these services may be charter schools, faith-based organizations, community organizations, private schools, libraries, private businesses, institutions of higher learning, neighborhood education programs, regional BOCES, etc. Because the entire district of Buffalo has been classified as “in need of improvement,” it is prohibited from being a provider of SES (though two non-failing schools and a parent center have been authorized to provide SES individually).

Buffalo is required to make funding available for tutoring and other services based on the number of low-income students enrolled in the district. Assuming enough demand, the district is required to spend (but is allowed to exceed) 20 percent of its federal funding designated for low-income schools (Title I – Part A) for the combination of: 1) transportation costs related to students transferring to non-failing schools; and 2) supplemental education services.⁴ The total amount of available funding for the 2003-04 school year in Buffalo is more than \$35 million and the district is required to spend a minimum of \$7 million on a combination of SES and transportation for students transferring to non-failing schools. According to the State Education Department, the 2003-04 maximum per-pupil funding amount for SES in Buffalo is \$1,689.⁵

¹ Schools failing to meet performance goals where students qualify for free tutoring are classified as “Schools In Need of Improvement Year 2,” “Corrective Action,” or “Restructuring.”

² Rod Watson, “Getting Out the Word on Free Tutoring,” *Buffalo News*, September 18, 2003. Also, 13 Buffalo schools were designated “Year 1” failing schools for the 2003-04 school year. Students attending these failing schools may qualify for free tutoring next year if their schools do not sufficiently improve.

³ Detailed information of the services provided by each is available on the State Education Department’s website at www.emsc.nysed.gov/nyc/SES/ApprovedProviders/AlphaList.html.

⁴ For more details on how the funding formula is determined and other details regarding SES, see U.S. Department of Education, *Supplemental Education Services, Non-Regulatory Guidance*, August 22, 2003, also offered as Attachment D.

⁵ www.emsc.nysed.gov/nyc/SES/SESmax0304.html.

The Buffalo school district is required to publicly inform parents of students' eligibility and option to receive free tutoring or other services, and to provide a list and brief description of all SES providers and the qualifications and demonstrated effectiveness of those providers. The Buffalo district also is required to describe the procedure that parents must follow to select a provider to serve their children, and any deadlines established in this process must be reasonable and allow parents to have sufficient time and resources to make an informed decision. According to the *Buffalo News*, 150 requests for SES have already been submitted in the 2003-04 school year, a number that is expected to increase significantly.⁶

In order to become a provider of federally-funded supplemental educational services in Buffalo, an entity must first apply to the State Education Department. For more information about this process and requirements, contact the independent Brighter Choice Public School Choice Project by calling (716) 892-8515 or visit the online "tool kit" available at: www.brighterchoiceproject.org.

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⁶ *Buffalo News*, September 18, 2003