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

Initiated by the federal *No Child Left Behind* Act, the New York State Education Department has designated both of Albany's public middle schools – **William Hackett Middle School** and **Philip Livingston Magnet Academy** – as “failing” for the 2004-05 school year (see Attachment A). These schools are among the 713 schools in New York State to 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 Albany 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 Hackett and Livingston middle schools.

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 Albany (see Attachment C for a list of approved providers).² 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.

Albany 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.³ The total amount of available funding for the 2004-05 school year in Albany is more than \$5.9 million, and the district is required to spend a minimum of \$1.2 million on a combination of SES and transportation for students transferring to non-failing schools.⁴ The maximum 2004-05 per-pupil funding amount for SES in Albany is \$1,855.⁵

The Albany 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 Albany district also is required to describe the procedure that parents must follow to select a provider to serve their children. Any deadlines established in this process must be reasonable and allow parents to have sufficient time and resources to make an informed decision.

In order to become a provider of federally-funded supplemental educational services in Albany, 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 (518) 694-5010 or visit the online “toolkit” available at: www.brighterchoiceproject.org.

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 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/SESlist.html.

³ 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.

⁴ www.emsc.nysed.gov/funding/cladcep/titleIallocs04056-10list.htm

⁵ www.emsc.nysed.gov/titlei/sesmaxamt0405.htm.