

States and school districts must implement the school choice provisions in the No Child Left Behind Act (P.L.107–110) at the beginning of the new school year. Some states and school districts will go the extra mile to ensure that students in failing schools have many options from which to choose. However, not all states and districts will comply with enthusiasm. Some may provide a bare minimum of options, restricting the number of supplemental service providers or erecting bureaucratic hurdles to dissuade parents from transferring their children to another school.

State-based think tanks, advocacy groups, community organizations, and parents can actively monitor the implementation of the choice provisions, thereby ensuring that families receive as many opportunities as possible. According to the law, schools identified as in need of improvement under the old law (the Elementary and Secondary

following describes the steps that need to be taken in establishing an effective “Implementation Watch.”

- Familiarize yourself with the choice provisions of the legislation. Three Web sites provide key information on the school choice provisions in the No Child Left Behind Act:
  - U.S. House Committee on Education handbook on parental choice: <http://edworkforce.house.gov/issues/107th/education/nclb/SuppServicesReport.pdf>
  - U.S. House Committee FAQ handbook: <http://edworkforce.house.gov/issues/107th/education/nclb/faq.pdf>\*
  - U.S. Department of Education NCLB site: <http://www.nochildleftbehind.gov/>
- Contact your state departments of education (specifically the Title I Director) and ask for the list of failing schools. Contact numbers for state departments of education are located

## IMPLEMENTATION WATCH: STUDENTS’ RIGHTS UNDER THE NO CHILD LEFT BEHIND ACT

*by Krista Kafer*

Education Act of 1994) will have to offer students the option of transferring to a non-failing school within the district beginning in the new 2002 school year. The district must supply transportation to the new school of choice. Schools currently under “corrective action” will have to offer their poor students the option to receive supplemental services such as tutoring. Districts must notify parents of the availability of supplemental services and the list of providers. They are required to help parents establish an agreement with the provider that sets goals, a schedule of progress reports, and payment terms.

To ensure that children across the country receive the maximum benefit from the legislation, it will be necessary to monitor and encourage states and districts to comply with the law in a timely and thorough fashion. The

on agency Web sites or in the phone directory.

- Inform parents in failing schools of their right to receive public school choice or supplemental services and urge them to contact their principals or superintendents to inquire about access to supplemental services and public school choice.
- Urge private providers, including nonprofit, commercial, faith-based, and private entities, to contact the state department of education to be placed on the state’s approved list of supplementary service providers.
- Write editorials informing the public about their rights under NCLB and, where appropriate, any barriers erected to prevent families from exercising their rights to public school choice or supplemental services.

By following these steps, concerned parents and advocates can play a critical role throughout the implementation of the No Child left Behind Act and, by doing so, ensure that children gain access to good schools and needed services.

(Note: If you have problems opening these files, go to <http://edworkforce.house.gov/issues/107th/education/nclb/nclb.htm> , then: 1) Scroll down half way to the section titled: “What the H.R. 1 Reforms Mean for Your State and Your Local Schools:” and 2) Click on the link called “Expanded Parental Options: Immediate New Options for Students in Chronically Failing Schools—State by State (pdf)” or “Frequently Asked Questions.”)

• **Krista Kafer** is a Senior Policy Analyst at The Heritage Foundation.

"IT SHOULD BE YOUR CARE, THEREFORE, AND MINE, TO ELEVATE THE MINDS OF OUR CHILDREN AND EXALT THEIR COURAGE; TO ACCELERATE AND ANIMATE THEIR INDUSTRY AND ACTIVITY; TO EXCITE IN THEM AN HABITUAL CONTEMPT OF MEANNESS, ABHORRENCE OF INJUSTICE AND INHUMANITY, AND AN AMBITION TO EXCEL IN EVERY CAPACITY, FACULTY, AND VIRTUE. IF WE SUFFER THEIR MINDS TO GROVEL AND CREEP IN INFANCY, THEY WILL GROVEL ALL THEIR LIVES."

—JOHN ADAMS,  
DISSERTATION ON THE  
CANON AND FEUDAL LAW