

Supplemental Educational Services and Public School Choice Transition Plan

The Every Student Succeeds Act (ESSA) was signed into law on December 10, 2015. It reauthorized the 1965 Elementary and Secondary Education Act (ESEA), which was previously reauthorized as No Child Left Behind (NCLB).

The new law officially takes effect on July 1, 2017. The 2016-2017 school year is being referenced as a transition year.

North Dakota is required by the transition provisions in ESSA to continue to implement the same interventions in the 2016-2017 school year for schools that were identified for improvement, corrective action, or restructuring during the school year 2015-2016; however, as notified by the U.S. Department of Education, may elect not to require local educational agencies (LEAs) to provide supplemental educational services (SES), public school choice, and the related notice to parents for the 2016-2017 school year as long as it implements a one-year transition plan for ensuring that LEAs provide alternative supports for the students eligible for SES in the schools with the greatest need.

In North Dakota, there have been several districts over the past few years who have had significant success implementing the SES provision, and may want the opportunity to continue to set aside funds for continued use of this provision.

However, the state also has had many districts, mainly small rural districts, where the SES provision has not been successful, as there were no eligible providers in the area and parents were not interested in an online provider. Historically, it has been difficult for these districts to be required to set aside funding, wait until after the first grading period, and then go through the process of reallocating the funds for another allowable activity.

Therefore, the State of North Dakota has made the decision to implement a transition plan which would allow LEAs the flexibility to choose the option that best meets the needs of the students within their district.

The North Dakota Department of Public Instruction's (NDDPI) transition plan for SES and school choice includes the following provisions:

- Districts with schools in improvement, corrective action, and restructuring may either provide SES to eligible students consistent with past practice or provide alternate supports for the students eligible for SES. These alternate supports could include, but are not limited to, before or after school tutoring, summer school, extended day intervention strategies, etc.
- Districts must identify which option they select on the Consolidated Application for Federal Title Funding which is due to be submitted on or before August 26, 2016. The consolidated application has been revised and a new section was added for districts to

address this issue in a written narrative. The consolidated application guidance will be updated to provide additional guidance and clarification on this SES issue.

- Consistent with ESEA section 1116(b)(13), the state will require LEAs to permit a student who previously transferred to another public school choice under NCLB to remain in that school until the child has completed the highest grade in that school. This will also be added to the consolidated application guidance.
- NDDPI has communicated this new opportunity for districts through multiple measures. Districts have all been notified through written correspondence. In addition, two webinars were conducted to inform administrators of this opportunity and to solicit feedback. The NDDPI also conducted regional trainings across the state for educators to provide information and solicit feedback on both the new ESSA law as well as specific guidance for the 2016-2017 transition year.
- Districts will determine the funds needed to provide SES or additional interventions.
- The NDDPI will continue to maintain the current list of state approved SES providers for the 2016-2017 transition year for those districts that elect to continue to implement the SES provision. No new providers will be solicited.
- Anyone wishing to provide comments regarding this SES transition plan can send them to the following email address: sfgreff@nd.gov.

If there are questions regarding this SES transition plan, individuals may contact any of the following staff in the Division of Student Support & Innovation:

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