

Illinois State Board of Education

Policy Statement Regarding the Application of NCLB Sanctions by ISBE at School Sites Which Lose or Gain Title I Status During the Span of Years for Which Their AYP is Being Computed

NCLB requires Annual Yearly Progress (AYP) to be computed for all public schools regardless of whether they receive Title I funds or not, and that certain sanctions be applied to schools receiving Title I funds if they have not made AYP for a specific number of consecutive years.

However, this raises the question of how sanctions for schools (i.e., Choice, Supplemental Educational Services (SES), Corrective Action, and Restructuring Year One and Restructuring Year Two) are to be applied when, for whatever reason, a district must take or chooses to take a particular school out of Title I service, or chooses to place or must place a school into Title I service during the span of years for which AYP is being determined.

A recent communication from USDOE indicates that states may make their own determinations in this matter. ISBE has determined that in these cases, the federal sanctions will be imposed in consecutive order and be required of schools in status only in those years the school is, in fact, receiving Title I services.

If a school is removed from Title I service for whatever reason during any particular year in the span of years for which the AYP for the school is being determined, no federal sanction will be imposed on that school during that year. (State sanctions, as appropriate for the number of consecutive years the school has not made AYP, will still apply).

If a school is placed into Title I service or restored to Title I service, the sequence of the application of federal sanctions starts over again with Choice in the school year following the school's not making AYP for two consecutive years while in Title I.

Example #1

Five Trees School did not make AYP in 01-02, 02-03, 03-04, 04-05, and 05-06. Its district puts the school into Title I for 05-06. No federal sanctions apply.

Example #2

Red Brick School did not make AYP in 02-03, 03-04, 04-05, and 05-06. It was a Title I school in 02-03 and 03-04. It was removed from Title I for 04-05 to avoid having to offer Choice. In 05-06, the district was compelled to put the school back into Title I for that school year. No federal sanction applies in 05-06, nor will any apply in 06-07 even if the school is in Title I for 06-07. Choice would have to be

offered in 07-08 if the 06-07 spring testing shows that the school failed to make AYP and the school remains in Title I Service in both 06-07 and 07-08.

Example #3

Utopia School does not make AYP in 01-02, 02-03, 03-04, 04-05, 05-06, 07-08, 07-09, and 09-10. It was a Title I school in 02-03, 03-04, and 04-05 and was required to offer Choice in 04-05. It was not eligible for Title I funds in school year 05-06, so no federal sanctions apply in 05-06. It is restored to Title I service in 06-07. No federal sanction applies in 06-07 or in 07-08 although the school is Title I in both of those years and has not made AYP. The school must offer Choice again in 08-09 if it is in Title I in that year, and Choice and SES in 09-10 if the school was in Title I in 06-07, 07-08, and 08-09.

Essentially then, any time a district takes a school out of Title I service, the sequence of the application of federal sanctions is reset. The sequence does not restart until the school has been in Title I for three consecutive years and has not made AYP for the first two consecutive years of those three years.