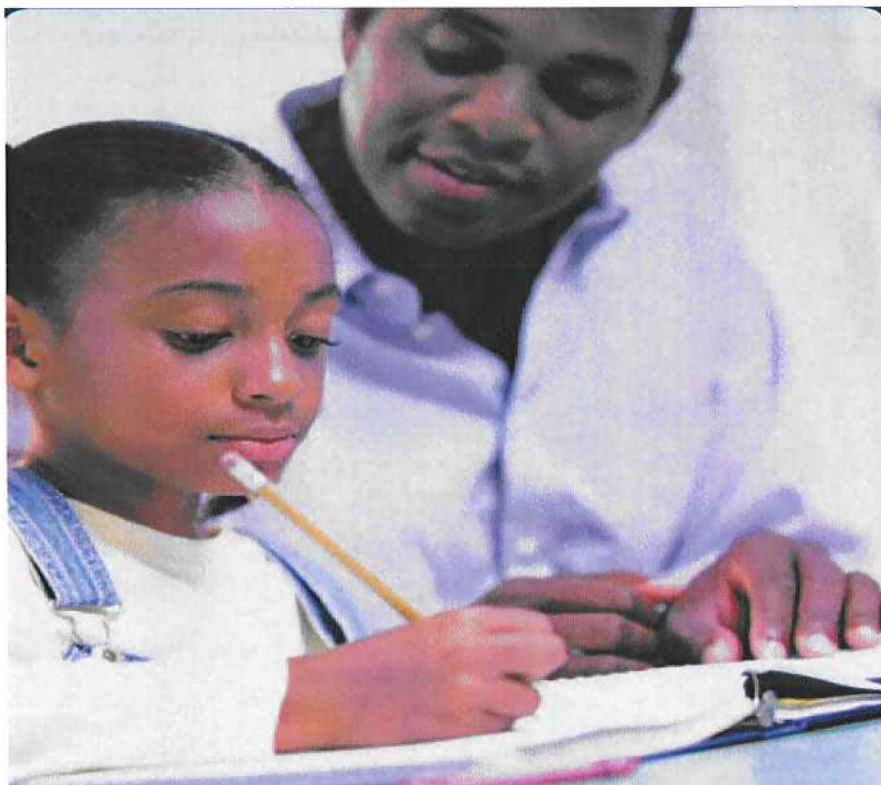


# **Parent Empowerment:** ***How to Make Sure Your Child Is Not Left Behind***

## **A Parent's Guide to Advocating for Equal Educational Opportunities**



**Lawyers' Committee for Civil Rights Under Law**



## INTRODUCTION

The achievement gap is a national phenomenon where lower-income African American and Latino students, as a group, perform poorer academically and score lower on standardized tests compared to their other counterparts. The achievement gap is often the result of:

- 1) Lower quality teaching and curriculum
- 2) Lower levels of expectation for achievement
- 3) Less access to high quality learning activities and resources

"No Child Left Behind" (NCLB) is a federal law passed in 2002 that aims to close the national achievement gap. NCLB combines increases in federal support for public schools under an existing law referred to as "Title I" or "ESEA", but with greater accountability for results. The law introduced new requirements that schools must meet in terms of student achievement, teacher quality, and parental choice.

Because of these new requirements and the higher expectations they set, NCLB has become the 900-pound gorilla sitting in every public school classroom. After five years of operation, many teachers and administrators are frustrated with these requirements, and the public has primarily heard criticism of NCLB without learning about the advantages.

For example, while the tests required by NCLB take time and effort, they also provide an important tool for parents to help monitor what is happening, or not happening, in their children's schools. NCLB also provides parents and students:

- Free tutoring services
- The right to transfer to a higher-performing school in the district
- A voice in school improvement plans

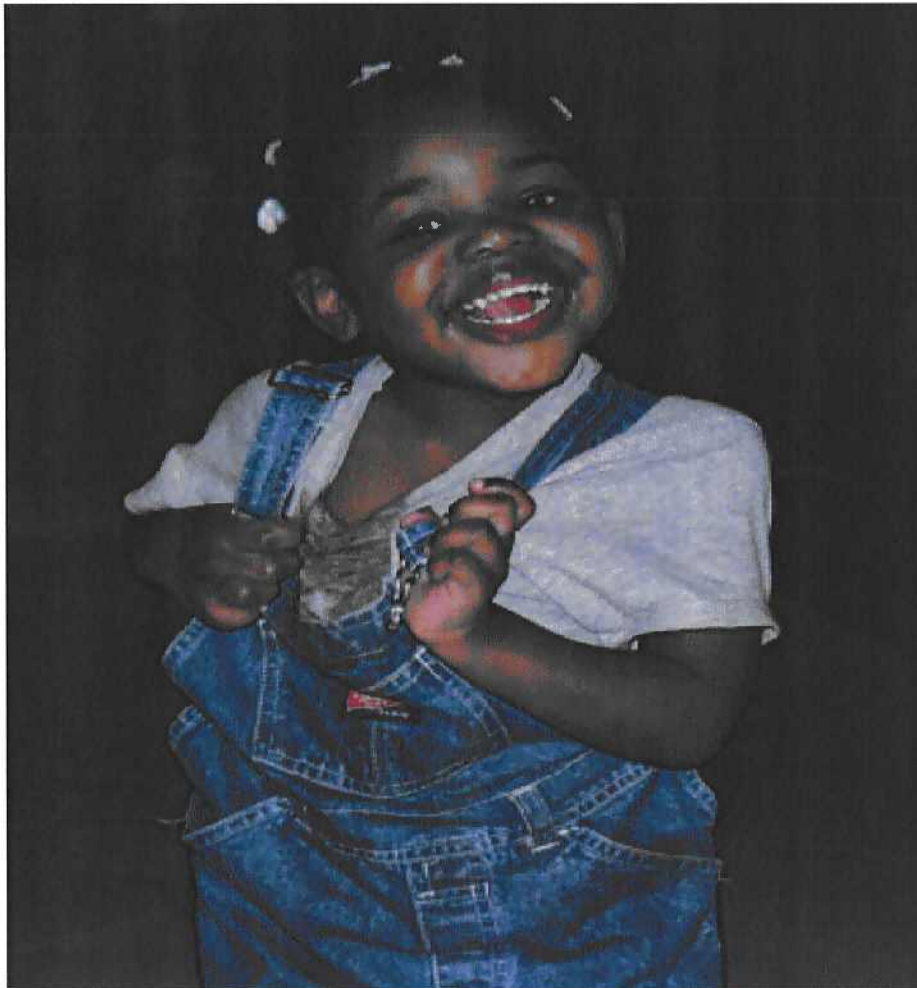
The information in this guidebook is designed to empower parents to take control of their children's educational opportunities and to work to close the over-sized achievement gap in the United States. Overall, this guidebook embraces two primary goals:

- 1) Inform parents about their rights under NCLB.
- 2) Educate parents on how to use the tools and resources available under NCLB to become effective advocates for their children.

### **LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW**

The Lawyers' Committee for Civil Rights Under Law is a non-partisan, non-profit organization established in 1963 at the request of President John F. Kennedy to involve the private bar in providing legal services to address racial discrimination and to secure equal justice under law. The Lawyers' Committee's Education Project vigorously advocates for equal educational opportunities for minority and poor youth within the nation's public schools through legal and legislative advocacy and community education.

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### ***What can parents do about the achievement gap?***

- ❖ Step up and let school administrators and the state know that these kinds of achievement gaps in public schools are **UNACCEPTABLE**.
- ❖ Work with schools to support reforms and work with students to help them improve their learning.
- ❖ Monitor the progress of your child's education and hold schools accountable for the results.
- ❖ Use NCLB to your advantage.
- ❖ **Remember, KNOWLEDGE is POWER. The more information parents have about student performance in school, the better they can advocate for their children.**

### **No Child Left Behind (NCLB) Basics**

#### **How does it work?**

- States must develop high-quality and rigorous curricula for all students.
- States must test students to ensure they have learned skills in core subject areas (math, science, & reading).
- Every classroom must have a highly qualified teacher.
- Schools must provide choices and services to parents.

#### **NCLB Subgroups and the Achievement Gap**

- NCLB data shows parents the gap between subgroups, and tells parents whether or not schools are succeeding in closing the gaps.
- NCLB focuses attention on low-income students, students of color, English Language Learners, and students with disabilities and holds schools accountable for their performance results.
- Schools, school districts, and states can no longer use the scores of high-performing students to cover up failure to meet the needs of lower-performing students.

### Annual Yearly Progress

Each state sets its own levels of student improvement in order to meet the goals of NCLB. These levels are known as Adequate Yearly Progress or "**AYP**". Ask your school or school district what AYP means in your state.

### Failures / Sanctions

Schools face different NCLB requirements when they fail to make AYP and must offer students and parents certain services and options depending on their status.

Doesn't make AYP for:	Status	NCLB Requirements	Student-Parent Entitlements
2 years	In Need of Improvement	<ul style="list-style-type: none"><li>• School must develop a two year plan explaining how it will improve.</li><li>• School must notify parents.</li></ul>	<ul style="list-style-type: none"><li>• Student may request to transfer to a higher performing school <u>within</u> the district.</li><li>• Lowest achieving students from low income families requesting transfers receive first priority.</li></ul>
3 years	In Need of Improvement	<ul style="list-style-type: none"><li>• Same as above</li></ul>	<ul style="list-style-type: none"><li>• Low income students are eligible to receive Supplementary Educational Services (SES, i.e., free tutoring).</li></ul>
4 years	Identified for Corrective Action	<ul style="list-style-type: none"><li>• School must replace staff, establish new curriculum, appoint outside experts to help restructure.</li></ul>	<ul style="list-style-type: none"><li>• School must consult and send notice to parents before taking any corrective action.</li><li>• Students continue to have the right to transfer and receive SES.</li></ul>
5 years	Failing School	<ul style="list-style-type: none"><li>• School district may close school and reopen it as a charter school, permit a private entity to operate school, or turn the school over to state control.</li></ul>	<ul style="list-style-type: none"><li>• School district must continue to offer school choice and SES.</li><li>• Parents can voice their opinion to the school district and state regarding the type of restructuring preferred for the school.</li></ul>



## **NCLB and Parent Involvement**

A school district **MUST** develop parent involvement policies and set aside funds for parent involvement activities—at least 1 percent of its Title I, Part A funding if it receives more than \$500,000 from the federal government.

**Under the law, parents with students in Title I schools have the right to tell the school how they would like the school to spend these funds.**

### ***Q: What is Title I?***

**A:** A set of government programs to improve the learning of children from low-income families. States receive special funds from the federal government to give to school districts based on their numbers of low-income families—generally determined by the number of students eligible for free or reduced priced lunches. A school with around 40% or more of its students coming from low-income families qualifies as a Title I school.

### ***What can parents do about parent involvement policies?***

- ❖ Contact the superintendent's office and ask for a copy of the district's parental involvement policies.
- ❖ Think about how you ideally would like to be involved with the school and your child's education. *What are some ways you and the school can make your ideas happen?*
- ❖ Ask the superintendent's and the principal's offices the following questions:
  - How do you seek parent advice to improve my child's school?
  - How can I offer advice?
  - What are some challenges with parental involvement?
  - What types of parental activities **do** you offer? How can I participate?
  - How much funding is available for parental activities? How can I receive funding if I want to organize a parental activity?
- ❖ Contact and file a complaint through your state Department of Education if your school or school district is not following its parental involvement policies or NCLB parental involvement requirements.

**An important part of parent involvement is reading your school district's policies and asking the school questions about information you do not understand.**

## **NCLB Tests**

Every year, under NCLB, the Department of Education in each state must issue tests to students in order to track school and district progress and to provide information to parents on their child's performance.

### ***What can parents do about NCLB testing?***

- ❖ Find out what kind of tests your state uses and when students take the tests.
- ❖ Ask your child's school to use formative (on-going) assessments to track your child's progress throughout the year.
- ❖ Contact your principal to receive report cards on your child's scores, as well as performance of your child's school and district.
- ❖ Review scores before the first parent teacher conference—note strengths and weaknesses. Write down your questions.
- ❖ Approach the school and school district in a respectful and professional manner with your concerns and questions.

### ***What can I do to help my child prepare for NCLB tests?***

- Ask your child's school if it is using formative assessments in the classroom throughout the school year to ensure that your child is on track to score at "Goal" or above on NCLB tests.
- Ask your child's school for at-home practice exams.
- Ask your child's teacher about the skills and content that will be tested.
- Take advantage of in-school practice tests given during the months leading up to the NCLB tests.
- Make sure your child understands all test instructions before the test.
- Discourage your child from cramming the night before the test.
- Make sure your child has a good night's sleep and breakfast before the test.
- **Offer your child lots of encouragement!**
- Know the dates of the tests, and make sure that your child is in school during the testing sessions. Do not plan any vacations or doctor and dental appointments on tests dates.

## Teacher Quality

Under the NCLB, all teachers must be “**highly-qualified**”—meaning they must have all three of the following:

1. A bachelor’s degree.
2. Full state certification or licensure.
3. Teaching skills and knowledge on each subject they teach.

### Get to Know Your Child’s Teachers

While NCLB requires teachers pass the standards above, credentials do not guarantee a teacher will be able to relate to your child and to aid properly in his or her development.

#### Share with your child’s teacher:

- Your high expectations and goals for your child.
- Your child’s interests and hobbies.
- Your child’s positive and negative characteristics and habits you observe at home.
- Family background and any hardships your child faces.
- Your child’s attitude toward school work and certain subjects.





### ***What can parents do about teacher quality?***

- ❖ Attend parent-teacher conferences and other meetings with school staff. Get to know your children's teachers and let them get to know you and your child.
- ❖ Ask your children for positive and negative thoughts about their teachers. Write down this feedback and bring it to the attention of the school principal if you are concerned or not satisfied.
- ❖ Review the NCLB report cards to find out if non-qualified teachers are teaching in your child's school.
- ❖ Ask your school administrators the following questions:
  - What support or training does the school give to teachers to make sure they are highly qualified?
  - What kind of recruitment efforts are made to attract highly qualified teachers?
  - How can parents be involved with teacher recruitment?
  - How does a principal assess teachers to ensure they are making progress in meeting the needs of all their students?
- ❖ Contact your school district or state with your concerns about the quality of teaching in your child's school.
- ❖ Encourage your child's school to sponsor diversity trainings for parents and staff.

### **School Improvement Plans**

Once a school has not made AYP, it must develop a school improvement plan.

- Failing schools must form school improvement committees and **directly involve and seek advice from parents** on how to improve the school, and they must do so at convenient times for parents.
- The school may provide money for transportation and child care in order for parents to attend meetings—and parents should request the school do so if it does not already offer it.

**A plan is only as good as its actions. In order for a plan to come to life and accomplish what it is designed to accomplish, parents must exercise their rights and make sure the school, district, and state follows through on the plan.**

You don't need to be a lawmaker or work for the school system to be involved in school policy making. You are the best advocate for your child's education and your community!

### ***What can parents do about school improvement?***

- ❖ Talk with your school's principal to find out what the school is doing to close the achievement gap between different groups of students.
- ❖ Find out when the school holds Title I and school improvement meetings.
- ❖ Find out what else your school is doing to encourage parent participation. Make it known that you want to participate and be informed. If you have new ideas about how to use school improvement and other funds, speak up!
- ❖ Volunteer in your child's classroom and school. This provides a good opportunity to work with staff and observe the operation of the school.
- ❖ If your child's school has not provided you information on school improvement, contact your school district. You have the right and the responsibility to ensure that schools comply with obligations under the law.

### **School Choice—The Right to Transfer**

**If a school is "in need of improvement" (two years or more failing to make AYP), a district must provide written notification of the right to transfer to a higher performing school in the same district.**

#### **School Choice Options under NCLB:**

- Another public school **WITHIN** the district.
- Charter and magnet schools within the district if agreed upon by the district and the charter or magnet school. However, districts cannot disregard selection processes, such as public lotteries when identifying transfer options for students.
- Students cannot transfer to a school currently identified as "in need of improvement" or "persistently dangerous".

**As a parent, you may need to insist the school provide you information and assistance with transferring.**

**\* Find out if your state or district offers further "choice" options.**

***What if a school tells me there is no room for my child to transfer or there are no schools available?***

**The parent should:**

- Request written reasons why the district cannot offer school choice.
- Request the school district immediately provide a list of public and private tutoring (SES) providers.
- Request the school district do the following:
  1. Explore the potential for creating a "school within a school" in which eligible students could participate in different learning activities of their choice.
  2. Establish agreement with other districts in the area to accept transferring students.

See parent letter template (Appendix A) on how to request a transfer.

## **Supplemental Educational Services (SES)**

Under NCLB, states must offer **free** tutoring services to students in failing schools. These services are designed to help students get on track toward high achievement.

### **Parent Notifications**

School districts must annually send written letters notifying parents about the availability of supplemental educational services.

Your child is eligible if:

- ❖ He or she is eligible for free or reduced-price lunch.
- ❖ He or she attends a Title I school that failed to make AYP two years in a row.
- ❖ He or she attends a school that failed to make AYP three years in a row.
- ❖ There is no room in another school to transfer.

### **Three Simple Steps for SES Success:**

- 1) Call your child's school and find out if your child qualifies.
- 2) Pick the tutoring provider best suited for your child's needs.
- 3) Make sure your child attends all sessions and look for progress in your child's school work.

See parent letter template (Appendix B) on how to request SES.

## **NCLB and Students with Disabilities**

Under NCLB, students with disabilities cannot be excluded from educational accountability. Most students with disabilities must participate in the same test taken by their peers. Schools must test all students at their assigned grade level regardless of disability.

### **Other Rights for Students with Disabilities under NCLB:**

- Testing accommodations only determined by student's IEP team.
- Any school choice option must provide Free Appropriate Education (FAPE).
- SES for students with disabilities must follow a child's IEP, unless parent gives permission otherwise. If no providers are available to provide SES to students with disabilities, the district must find other ways to provide those services.
- A special education teacher must meet "highly qualified" criteria.

### ***What can parents of disabled students do?***

- ❖ Find out if your child receives the same curriculum as students without disabilities. Ask your child's school:
  - *Does my child's school include instruction at grade-level content?*
  - *Does my child receive accommodations to learn grade-level content?*
- ❖ Use NCLB test results to determine in which areas your child needs help.
- ❖ Find out if your child's teachers or instructional aides are "highly qualified".
- ❖ Participate in IEP meetings to determine your child's accommodations during NCLB testing.
- ❖ Ask your school district, state PIRCs, and other organizations for information about special education rights for disabled children granted under IDEA and Section 504.



## English Language Learner Students (ELL) and NCLB

An ELL student is an individual between the age of 3-21 in a public school who falls under one of the following categories:

- Not born in the United States and speaks a language other than English;
- A Native American, Alaska native, or native resident of outlying areas and comes from an environment where a language other than English has had significant impact on the individual's level of English language; or
- Does not live permanently in one place, speaks a native language other than English, and speaks a different language at home.

### ***What can parents do for ELL students?***

- ❖ Talk to your school administrators and guidance counselors about ELL programs the school offers. More importantly, talk to other parents and ELL students about their impressions of ELL programs.
- ❖ Participate in school improvement planning meetings and offer suggestions on what is working and what is not working for ELL students.
- ❖ Request your child's school and district use Title III funds to provide ELL parents with literacy, outreach, and training programs.
- ❖ Consider filing a complaint with your school district and/or state Department of Education if:
  - Students are excluded from participation in school because of their inability to speak and understand the language of instruction;
  - ELL students are inappropriately assigned to special education or low-level classes because of their lack of English skills.
  - ELL programs are not designed to effectively teach English, or if these programs do not provide high quality curriculum.
  - The school refuses requests for supplemental services to assist ELL student or does not provide information about alternative language learning programs;
  - The school does not adequately fund its ELL programs;
  - The teacher providing instruction in an ELL program has no training on how to teach English to ELL students; or
  - Parents with limited English do not receive school notices or other information in a language they can understand.
- ❖ **Reach out to ELL parents in your community!** Help ensure all children receive the best high quality education regardless of where their parents are from or what language they speak.

## Parent Information Resource Centers (PIRCs)

Under NCLB, the US Department of Education provides grants to non-profit organizations that will offer training, information, and support to parents, organizations, schools, and individuals. The primary purpose of these centers is to guide parents on how to support their child's learning both at home and at school.

### ***What can parents do about PIRC?***

- ❖ Ask for information and assistance from PIRCs regarding NCLB and your child's education—search PIRC website and contact PIRC staff.
- ❖ Ask PIRCs for advice on how to increase and coordinate parental involvement activities within your school and district.

## NCLB and School Discipline

NCLB includes an **Unsafe School Choice Option**, which requires students to transfer to another school if they are:

- a) victims of a violent crime, or
- b) attending a "persistently dangerous school".

Ask school administrators if your school qualifies as "persistently dangerous"

### ***What tools do parents have to close the discipline gap?***

#### **Student Code of Conduct:**

All schools are required to maintain a code of conduct, which outlines unacceptable types of behavior and appropriate punishment for engaging in those behaviors.

#### *How to use the code:*

- Know the rules
- Identify rules that are unclear.
- Be aware of deadlines and limitations
- Reach out to others and find out their experience with certain codes and rules.

More on next page...

**Due Process:**

A procedure in law that prevents government from taking away a person's rights, such as a right to education, without the opportunity to be heard. Two major parts of due process in education are:

NOTICE: The school must inform parents in writing of...

- The rule violated
- The facts, or incident that happened, giving rise to violation of school rules.

HEARING: The school must provide a time and place for students to...

- Tell his or her side of the story
- Ask questions of witnesses
- Receive a fair decision by unbiased persons.

**Awareness and Participation:**

Keys to avoiding disciplinary issue, or at least being prepared to confront issues.

- Make an effort to learn as much as possible about school district disciplinary policy.
- Help your child avoid punishable behaviors and situations.
- Be aware of rules that may be applied disproportionately to minorities.
- Participate actively with teachers, school administrators, community groups, and the school board in raising awareness regarding the possibility of discriminatory enforcement of discipline codes.

**SCHOOL IMPROVEMENT and STUDENT SERVICES PLANS**

Schools generally use the following programs and services to help students avoid discipline and cope with personal issues that may cause behavioral problems. Ask your school district about such programs and suggest the school and district invest more into these types of programs to improve school safety and close discipline and achievement gaps.

1. **Alternative Education Program**  
**Caution:** make sure these types of programs are not a means of segregating students by race. Alternative education programs should offer the same high quality curriculum as a regular classroom setting.
2. **School Climate Management**
3. **School Counseling and Guidance Services**
4. **School Health Services (Psychological and Social Work)**
5. **Diversity Trainings**

# 10 ways to GET ACTIVE!

*So you have seen the information, now what ?*

- **Understand score reports—seek help if needed:** Ask school staff for assistance with understanding score report.
- **Bring score to student teacher conference:** Discuss your child's strengths and weaknesses to discuss what can be done to help improve your child's learning of important skills.
- **Bring scores to PTA and school meetings:** Talk to other parents and school staff about achievement gaps within the school and discuss what can be done to improve achievement.
- **Monitor your child's school work:** Look to see what kind of homework your child receives. Ask your child what he or she is learning in the classroom. Try and determine whether or not your child is learning every thing that is expected for his or her grade level. Contact your state's Department of Education for a list of all of its standards/goals for each grade level.
- **Join school improvement committee:** Voice your opinion about changes you would like the school to make in order to improve student achievement. Participate in decisions about what type of changes to make and how the school should spend its funding toward improvement. Parents generally are not experts on education, but they do know what is good for their children. Don't hesitate to share your thoughts and needs with the school.
- **Visit high achieving schools to compare:** NCLB report cards tell you which schools have high student achievement. Find out about curriculum and student learning activities at these schools. Ask schools what they do to ensure high student achievement. Inform your own school about information you learned on your visits. You may have to venture outside of your school district to find high achieving schools.



- **Build parent communities and coalitions:** Find other parents who have similar concerns about test results and student achievement. People tend to have more force in greater numbers. Attend school board meetings and as a group voice concern. This way the school may be less likely to view your concern as a problem that only relates to your child and parenting, and more willing to accept it as a school-wide problem.

- **Become an informed voter:** Think about student achievement when deciding who to elect to your school board. *Who will address this issue? Who will be willing to work with diverse parents?* Also, listen to what candidates running for other government offices have to say about education and student achievement. Make appointments with your local, state, and national representatives' offices, and use score reports to present evidence of achievement gaps within your child's school and district.

- **Go shopping for a new school and educational services:** If your child's school failed to make AYP two years in a row, consider transferring your child to a higher performing school within the district, or ask the school about tutoring providers.

- **Stay composed and respectful:** Present evidence from test scores in an informed and professional manner. Approach school administrators and teachers by making appointments and attending school meetings. They are more likely to treat you with respect and listen to what you have to say than they would be if you go huffing-and-puffing into their offices.

### ***How to Communicate with Schools and School Districts***

- ❖ **Put all complaints and ideas in writing**
- ❖ **Keep good records**
- ❖ **Set up appointments with teachers and school administrators**
- ❖ **Take someone with you (spouse, friend, advocate)**
- ❖ **Keep up-to-date on your child's assignments and progress**
- ❖ **Stay calm and informed**

## **Appendix A: Sample Parent Letter to Request School Choice**

*\* fill in information in parenthesis*

(Date)

(Name of School District)

(Address of School)

**Re: Request for Student Transfer under 20 U.S.C. § 6316**

To Whom It May Concern:

I am interested in transferring my child to another school for the (year of following school year, i.e. 2007-2008) school year. My child is eligible to transfer to another school, 20 U.S.C. § 6316

**Student name:** (name of child)

**Grade:** (grade of child)

**Current School:** (child's school)

The following schools in (name of school district) district have been identified as possible options for parents interested in participating in transferring their child to another school. I list these schools in the order of my preference, the first listed as my top choice.

- 1)
- 2)
- 3)

Thank you very much for your attention and assistance with this matter.

Sincerely,

(sign your name)

(your contact info)

**Name:**

**Relationship to Student:**

**Address:**

**Phone #:**

**E-mail:**

## **Appendix B: Sample Parent Letter to Request Supplemental Educational Services**

*\* fill in information in parenthesis*

(Date)

(Name of School District)

(Address of School)

### **Re: Request for Supplementary Educational Services under 20 U.S.C. § 6316**

To Whom It May Concern:

I am interested in having my child participate in a supplementary education services program during the (year of following school year, i.e. 2007-2008) school year. My child is eligible for these service, 20 U.S.C. § 6316

**Student name:** (name of child)

**Grade:** (grade of child)

**Current School:** (child's school)

I list the following providers in the order of my preference, the first listed as my top choice.

- 1)
- 2)
- 3)

Thank you very much for your attention and your assistance to this matter.

Sincerely,

(sign your name)

(your contact info)

**Name:**

**Relationship to Student:**

**Address:**

**Phone #:**

**E-mail:**

## Conclusion

This information is designed to empower parents to take control of their children's educational opportunities and to work to close the over-sized achievement gap. We hope that parents, together with their communities, use this information over the course of their child's education to develop the "know how" to achieve significant changes in their schools and their children's futures.

### Reality of Achievement Gap Your Child May Be:

- **HELD BACK IN SCHOOL;**
- **DENIED CRITICAL READING, WRITING AND MATH SKILLS; AND**
- **DENIED A HIGH SCHOOL DIPLOMA.**

The Result: No Higher  
Education, No Career  
Opportunities, Less Income