

Conditions of Flexibility Agreement

A state and its LEAs, once approved to participate in the pilot, must meet the following conditions:

- The state must provide the Department with a report on and explanation of trends in participation levels in SES and public school choice within the participating LEAs.
- The state must provide parents in pilot LEAs access to a variety of SES providers, as demonstrated by the following:
 1. Maintaining a comprehensive list of SES providers (e.g., nonprofit, for-profit, faith- and community-based, online).
 2. Ensuring that at least two providers from which parents may choose are available in each pilot LEA.
 3. Providing information to parents in pilot LEAs on school performance and student eligibility for, and enrollment in, public school choice and SES that is clear, accurate, and easily accessible, in languages parents can understand. The state may want to develop model parental notification letters and standard forms for enrolling students in choice and SES.
 4. Ensuring that pilot LEAs provide fair and equitable treatment of non-LEA providers by giving providers access to school facilities at a reasonable price and dividing space among providers in a fair manner.
 5. Ensuring that pilot LEAs allow providers to market their services to parents and work with community and business partners to reach out to parents and provide them with information on their options.
- The state must require pilot LEAs to notify eligible parents about SES prior to the start of the school year, or within the first few weeks of the school year, and provide SES shortly thereafter.
- The state must require pilot LEAs to offer continuous enrollment in SES or multiple SES enrollment periods throughout the 2007-08 school year until each pilot LEA spends the 20 percent required by Title I or all students who request SES and choice are served.
- The state must submit complete and accurate public school choice and SES data to the U.S. Department of Education via the Educational Data Exchange Network (EDEN) for the 2006-07 school year by the end of October 2007, and for the 2007-08 school year by the end of October 2008.
- The state must submit to the Department two reports on how it met the terms of its flexibility agreement under this pilot due January 1, 2008, and June 30, 2008.