



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

March 31, 2025

Dear Chief State School Officer:

The Trump Administration is committed to supporting parents in choosing and directing the upbringing and education of their children. The U.S. Department of Education (Department) is pleased to provide information regarding how States can use Federal formula funds under the Elementary and Secondary Education Act of 1965 (ESEA) to support elementary and secondary school educational choice initiatives. In this letter, we are focusing on two important aspects of Title I, Part A (Title I) of the ESEA where States and local educational agencies (LEAs) have discretion to provide greater flexibility to support parents' choices for their child's education. This will be the first of several guidance documents aimed at expanding education choice for students and families.

Direct Student Services Under ESEA section 1003A

One important flexibility to support parents is section 1003A of the ESEA, which provides a State the flexibility to reserve up to three percent of its Title I allocation to provide funds to LEAs for direct student services that allow parents to exercise a meaningful choice in their child's education. This is an important flexibility of which very few States have taken advantage. Ohio is currently the only state implementing direct student services, which they use to increase access to advanced coursework. States can use this flexibility so that parents can be given a range of options – advanced courses, dual enrollment, academic tutoring, career and technical education, personalized learning, and out-of-school activities – to select for their child.

ESEA section 1003A authorizes a State to award funds to LEAs for the following activities:

- Enrollment and participation in academic courses not otherwise available at a student's school, including advanced courses and CTE coursework that is aligned to State standards and leads to industry-recognized credentials that meet the quality criteria established by the State under section 123(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).
- Credit recovery and academic acceleration courses that lead to a regular high school diploma (as defined in ESEA section 8101(43)).
- Activities that assist students in successfully completing postsecondary level instruction and examinations that are accepted for credit at institutes of higher education (IHEs), including AP and IB courses, which may include reimbursing students from low-income backgrounds to cover all of the costs of fees for such examinations; such activities may also include the costs of dual or concurrent enrollment in postsecondary coursework.
- Components of a personalized learning approach, which may include high-quality tutoring.
- Transportation to allow a student enrolled in a school identified for comprehensive support and improvement (CSI) under ESEA section 1111(c)(4)(D)(i) to transfer to another public school (including a public charter school) that has not been identified for CSI (i.e., public

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school choice), in the case of an LEA that does not reserve Title I funds as permitted under ESEA section 1111(d)(1)(D)(v) for this purpose.

In order to receive funds, ESEA section 1003A(d) requires an LEA to describe how it will provide adequate outreach, time, and information to parents to ensure they can exercise a meaningful choice of direct student services for their child's education. Further, the LEA must describe how it will select providers of direct student services, which may include LEAs, community colleges or other institutions of higher education, non-public entities including private schools, and community-based organizations. Because the LEA retains control and responsibility for the funds, providers of these services do not become Federal grantees. For tutoring services, the State must provide a list of options that, among other requirements, provides parents with meaningful choices, offers a range of tutoring including online and on campus, and provide instruction and content that is secular, neutral, and non-ideological.

States must award direct student services funds to geographically diverse LEAs that serve high numbers of schools identified for support and improvement. While a State cannot direct or limit the use of these funds by LEAs, the State could establish priorities to award these funds to LEAs that align with the State's priorities and goals. For example, while a State cannot establish an absolute priority that focuses on one of the activities listed above, it could award points in its competitive process for those activities that it believes or has evidence the activity will provide parents the most choices and maximize the impact of these funds.

Title I, Part A of the ESEA

Related to the flexibility within ESEA section 1003A, LEAs and schools have similar flexibility with respect to their use of Title I funds. A school operating a Title I schoolwide program, in consultation with parents as required in ESEA section 1116, could choose to implement a program that identifies activities that improve the academic program in the school and which allows parents to choose the best activity to meet their child's educational needs. This would have to be consistent with the school's needs assessment and schoolwide program plan and be designed to improve student academic achievement, particularly for the lowest-achieving students. For example, a school could identify a range of dual enrollment opportunities, academic tutoring programs, and career and technical education activities that are available for students and let parents select the best option for their child. Similarly, a Title I school that operates a targeted assistance program under ESEA section 1115 may offer these choices to parents of children identified to receive Title I services. An LEA may also use some of its required Title I reservation under ESEA section 1113(c)(3) to serve homeless children and youth in all of its schools to provide these choices to their parents.

Thank you for your continued focus on providing meaningful options for parents to ensure all children receive a high-quality education. The Department encourages States to reach out to the Title I, Part A team for details on how these and other strong practices can be tailored to provide more meaningful choices to parents in your State. A frequently asked questions document is also being prepared to offer more guidance on how to use this flexibility. If you have any questions or need additional information, please contact us at: OESE.TitleI-A@ed.gov.

Sincerely,

Hayley B. Sanon
Principal Deputy Assistant Secretary
and Acting Assistant Secretary
Office of Elementary and Secondary Education