

### GENERAL

#### **What are Supplemental Educational Services (SES)?**

SES are free tutoring services that are available to increase the academic achievement of students from low-income families attending public schools receiving Title I funds and designated as Program Improvement (PI), in the Lompoc Unified School District. These schools in the District are Fillmore, Hapgood, La Cañada, La Honda, Los Berros, Miguelito, Clarence Ruth, Lompoc Valley Middle School, and Lompoc High School. The tutoring services are to be provided beyond the regular school day and must be research-based, consistent with the core academic content and instruction used by the local educational agency (LEA), and aligned with the state academic content standards in English-language arts (ELA), science and mathematics.

#### **Who is eligible to receive SES?**

Eligible students are those who attend public schools that have been identified as PI schools in Years 2-5 and who are from a low-income family. LEAs have the responsibility of identifying eligible students for SES.

#### **What is a state-approved SES provider?**

A provider of SES may be any public or private (non-profit or for-profit) entity that meets the State's criteria for approval. Public schools, including charter schools, private schools, and districts, county offices of education, educational service agencies, institutions of higher education, faith-based and community-based organizations, and private businesses, including sole proprietors, are among the types of entities that may apply for approval by the California Department of Education (CDE).

All potential providers are held to the same criteria. LEAs, charter schools, and other public schools are not automatically considered approved providers. Rather, they can be providers if they meet the CDE's established criteria, and they must go through the same approval process as all other potential providers. However, schools, including charter schools, and LEAs that have been identified for PI may not be SES providers. In addition, public and charter schools in PI LEAs may not be SES providers.

#### **How are providers selected for approval by the CDE?**

Organizations submit an application to the CDE to become an SES provider, as defined in the No Child Left Behind (NCLB) Act of 2001, Title I, Part A, Section 1116(e). Those who meet the quality requirements specified under the California Code of Regulations, Title 5 for the SES program are recommended to and approved by the State Board of Education (SBE).

#### **How do LEAs, parents/guardians and providers resolve complaints during the delivery of supplemental education services?**

A complaint is a written statement alleging discrimination, harassment, or a violation of a federal or state law or regulation. A complaint must be filed by way of the Uniform Complaint Procedures (UCP) as written in the *California Code of Regulations, Title 5, Sections 4600-4687*. Issues that may involve filing a complaint using the UCP are under various state and federal programs that use categorical funds. All parties involved in the implementation and delivery of SES are entitled to access the UCP to resolve complaints.

For additional general information on the UCP, contact the Categorical Programs Complaints Management Unit, California Department of Education, Legal and Audits Branch, 1430 N Street, Sacramento, CA 95814-5901; telephone 916-319-0929, or visit CDE's [UCP Web page](#).

#### **Where would I find additional resources on SES or related topics?**

CDE developed a significant group of resources for use by LEAs, schools, parents/guardians and providers. They are available on the [Resource](#) page of the SES website.

### **DISTRICT**

#### **What role does the district play in SES?**

An LEA must:

- Notify parents about the availability of services, at least annually [Section 1116(e) (2) (A)].
- Help parents choose a provider, if requested [Section 1116(e) (2) (B)].
- Determine which students should receive services if not all students can be served [Section 1116(e) (2) (C)].
- Enter into an agreement with a provider selected by parents of an eligible student [Section 1116(e) (3)].
- Assist the SEA in identifying potential providers within the LEA [Section 1116(e) (4) (A)].
- Protect the privacy of students who receive SES [Section 1116(e) (2) (D)].

#### **How much must a local educational agency (LEA) spend on SES?**

A LEA must spend the equivalent of between five and fifteen percent of its Title I allocation (or as much as twenty percent, if it does not have any demand for choice-related transportation) on SES, with the precise amount dependent on the relative demand for choice-related transportation and SES.

#### **May a LEA identified as Program Improvement (PI) provide SES?**

No. If a LEA is in PI or corrective action, the LEA may not be a SES provider. However, a LEA must provide SES to students with disabilities or English learners if no approved providers are available to do so. In these cases, the LEA must provide those services (either directly or through a contractor) even if it has been identified as a PI LEA.

#### **May a LEA set a deadline by which parents must request SES?**

Yes, a LEA may establish a reasonable deadline by which parents must request services. To ensure that parents can make informed decisions about requesting SES and selecting a provider, a LEA should make certain that parents have sufficient time, information, and opportunity to make these decisions. A LEA may allow a rolling enrollment for services, taking care that eligible students are served and priorities are respected. A rolling enrollment process would accommodate students who are newly enrolled at the beginning of or during the school year. Whatever procedures a LEA uses, it must ensure it meets all demand for SES from eligible students, consistent with the LEAs obligation to spend an amount equal to 20 percent of its Title I allocation for choice-related transportation and SES.

Beginning in 2009-2010, a LEA must provide, at a minimum, two separate enrollment windows as required under Section 200.48(d) (2). The filing period for SES requests are December 1, 2015 – January 15, 2016 and May 27, 2016 – June 9, 2016.

### **PROVIDER**

#### **What restrictions are placed on providers for marketing and recruiting students?**

While providers may market their specific services to schools and parents, LEAs need to promote SES to their eligible schools and families. The CDE strongly encourages LEAs and providers to coordinate their efforts through such activities as Provider Fairs, information packets, backpack mailings, and media packets to ensure that parents have information to make informed decisions that best meet the needs of

## Supplemental Educational Services/School Choices

their children.

### **How are SES providers held accountable?**

The CDE is responsible for developing and applying objective criteria for evaluating providers and monitoring the quality of services that they offer. The state must use those criteria to review and approve providers for inclusion on the state list and to ensure that instruction is consistent with the curriculum and standards used by the LEA and the state. If a provider fails for two consecutive years to contribute to increasing the academic achievement of the students it serves, the state must remove it from the state-approved provider list.

### **Can SES be provided before school, on weekends, or during the summer, instead of after school?**

Yes, however the LEAs retain discretion on agreements with providers.

### **Often, large providers have multiple franchise operations that provide services. May an SEA (State Educational Agency) require separate applications from franchises?**

The CDE has discretion in determining how it will consider and approve providers with multiple operations. Although the same curriculum and instructional methods may be used by all franchises of a particular provider, CDE requires each franchise to apply separately. The franchise cannot use the experience or student performance data of the parent organization or another franchise in its application.

### **SES providers are required to demonstrate student academic progress. What assessments may they use for this purpose?**

Providers may use their own assessments or standardized assessments given by the State or LEA. The applicant is required to complete the *Template for Quality Verification of Testing Instruments* for each identified test instrument in the RFA narrative. The appropriate responses to the template constitute evidence that the assessment instrument used to demonstrate that student progress is valid and reliable and conforms to the *Standards for Educational and Psychological Testing (1999)*.

## PARENT/GUARDIAN

### **What are the benefits of receiving Supplemental Educational Services (SES)?**

If parents choose to have their child participate in SES, he/she will receive free tutoring from a provider that parents select from a list given to parents by their school district. The tutoring the child receives will focus on particular areas of reading/language arts, mathematics, or science and will be based on an individualized learning program. Tutoring will be provided to the child in a safe environment before or after school and is an effective use of the child's time. [SES Non-Regulatory Guidance (NRG) Item G-5]

### **What is the role of parents in SES?**

Parents are to be active participants in the SES program.

At the *local level*, parents must be able to choose from among all SES providers identified by CDE for the area served by the LEA or within a reasonable distance of that area. In addition, the LEA must assist parents in selecting a provider, if such help is requested [Section 1116(e) (2) (B)]. Parents should also have an option to change or terminate services, if they are not satisfied.

At the *provider level*, parents, the LEA, and the provider chosen by the parents must develop and identify specific academic achievement goals for the student, measures of student progress, and a timetable for improving achievement [Section 1116(e)(3)(A)]. All parents whose children receive SES must be regularly informed of their child's progress [Section 1116(e) (3) (B)].

In the case of a student with disabilities, or a student covered under Section 504, the provisions of a SES agreement regarding specific academic achievement goals for the student, the measures of student progress, and the timetable for improving achievement must be consistent with the student's individualized educational program (IEP) under the Individuals with Disabilities Education Act (IDEA) or the student's specialized services under Section 504. However, SES is in addition to, and not a substitute for, the instruction and services required under IDEA and Section 504 and should not be part of IEPs or Section 504 plans.

## Supplemental Educational Services/School Choices

### **Is there a deadline by which parents must request SES?**

Yes, LUSD has established a reasonable deadline by which parents must sign up for SES [NRG G-9]. Remember that parents may ask the school principal or district staff (Pupil Support Services) for help in selecting a provider if they wish.

Open window: December 1 – January 15 and Friday before Memorial Day – last day of school each year.

### **Which children may receive SES if the demand for services exceeds the level that funds can support?**

If sufficient funds are not available to serve all low-income children, a LEA must give priority to the lowest-achieving, low-income students [Section 1116(b) (10) (C)]. The LEA should use fair and equitable criteria in determining which students are the lowest-achieving, and should use professional judgment in applying those criteria.

### **What do parents need to do to obtain SES for their child?**

When parents receive notification from their child's school that their child is eligible for the free tutoring, parents should complete and return an application. The application may be sent by mail, e-mail or be hand-delivered by their child as determined by the LEA [34 C.F.R. §200.36(c); SES NRG Item G-7, 8]. The district may also inform parents about SES through public service announcements. The application will allow parents to select a provider for their child. After parents have selected a provider, they will meet with the provider to develop a learning plan that sets academic goals for their child based on the child's test scores. Once the child begins the tutoring, parents will receive progress reports about whether the learning goals are being met.

### **How do parents select a provider for their child?**

LUSD staff provide information about SES providers when asked. Although all SES providers are approved by the State Board of Education (SBE), parents may want to ask the following questions to help them select a provider that is best for their child:

- *When are the services offered?* Based on their family's schedule, parents should determine if they need services before school, after school, weekends, or evenings.
- *Where are the services offered?* Parents should decide if the services are in a convenient location, such as the school site, a local library, online, or in their home.
- *How will the provider deliver services?* Parents should decide if their child works best in a small group, online, or one-on-one. Parents should select a provider that can provide that type of instruction.
- *Who does the provider serve?* If the child has special needs, parents should ask if the provider is able to serve English Learners, students with disabilities, etc.
- *How successful is the provider?* Parents should request information about the provider's effectiveness in helping students reach their learning goals. [NRG I-1]

### **How does a Student Learning Plan (SLP) or an agreement with a provider get developed?**

The SLP or agreement with a provider is very important. The law requires that parents be consulted regarding the development of their child's SLP [Section 1116(e)(3)(A)]. Parents can do this by meeting with the provider and agreeing on learning goals. It is important that parents be involved in this part of their child's learning experience so that they can help the provider to understand the child's specific needs.

## Supplemental Educational Services/School Choices

### **How often should parents and teachers receive information about student progress?**

As part of the service agreement, the LEA and provider, after consultation with the parents, must agree to a schedule for informing parents and the child's teacher(s) about the child's progress. The intent of this requirement is to ensure that students are improving their academic achievement and that instructional goals are being met.

### **May parents be asked to verify their child's attendance at tutoring sessions including online tutoring?**

Yes, parents may be asked to confirm attendance. Parents' participation is important because it helps to ensure that SES providers are delivering the services they are paid for and it allows parents to make sure the SES providers are delivering services to their child agreed upon by parents during the consultation and development of the learning plan [NRG I-4].

### **If parents are dissatisfied with the tutoring services their child is receiving, or with the academic progress of their child, may they request and receive a new provider assignment?**

Parents should contact their child's school or school district about any concerns they have with their child's provider. The district will work with parents to ensure that the provider is meeting the student's needs. Although not required to, the school district may allow parents to change SES providers, particularly if their provider is not meeting their child's learning goals. [NRG H-9]

### **What information about SES is available on the district Web site?**

Beginning in the 2009-2010 school year, each district's Web site will provide the following information:

1. A list of SES providers that parents can choose [34 C.F.R. §§200.39(c)(1)(ii); 200.42(b)(5); 200.43(b)(5); 200.43(c)(1)(iii)].
2. The location where students will be served [34 C.F.R. §§200.39(c)(1)(ii); 200.42(b)(5); 200.43(b)(5); 200.43(c)(1)(iii)].
3. The names of SES providers that can work with special needs students, including English learners.

The district may also post the forms parents need to complete in order for their child to participate in SES.

### **What other information about the child's academic progress or the child's school is available?**

The California Department of Education (CDE) and local school district have developed many resources to assist parents in determining the academic progress of their child as well as his/her school and district. These resources include the School Accountability Report Card (SARC), school test results, their child's annual Standardized Testing and Reporting results (provided to parents in late summer), and the annual California English Language Development Test (CELDT) results, which are available to parents of English learners around August of each year.

Parents may consult CDE's [Adequate Yearly Progress \(AYP\)](#) Web page for references to the above stated items.