



Request for Applications for  
SUPPLEMENTAL  
EDUCATIONAL SERVICES PROVIDERS

2011-2012 School Year

SPECIAL APPLICATION FORM FOR IDENTIFIED DISTRICTS  
DUE JULY 1, 2011

Minnesota Department of Education  
1500 Highway 36 West  
Roseville, MN 55113

This application is for identified districts that have not yet been approved to provide services  
in Minnesota

For more information email: [mde.ses.providers@state.mn.us](mailto:mde.ses.providers@state.mn.us)

SUPPLEMENTAL EDUCATIONAL SERVICES (SES)  
2011-12 School Year  
Request for Applications

Pursuant to the Federal No Child Left Behind Act  
Section 1116(e)(1)

Special Application for Identified Districts

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## Section 1: SES Information and Submission Instructions for 2011-2012 School Year

This application is for local education agencies (LEAs), including charter schools, that are identified on the Minnesota Department of Education (MDE) Adequate Yearly Progress (AYP) list for school year 2010-11, which would make these LEAs ineligible to have participated in the most recent SES application round in January – March 2011. MDE applied for a waiver on June 8, 2011 to allow LEAs that are identified to apply to become a provider for their own districts for the 2011- 12 school year only.

### What Are Supplemental Educational Services?

SES is additional academic instruction designed to increase the academic achievement of students from low-income families attending Title I schools in their second year of school improvement, in corrective action, or in restructuring. These services may include academic assistance such as tutoring, remediation and other educational interventions, provided that such approaches are consistent with the content and instruction used by the LEA and are aligned with the state's academic content and student academic achievement standards. SES is in addition to instruction provided during the regular school day. SES must be high-quality, research-based, and specifically designed to increase the academic achievement of eligible students [Section 1116(e)(12)(C); 34 C.F.R. §200.47(b)(2)(ii)(C)].

LEA: For the purposes of this document and the SES application process in Minnesota, the term local education agency (LEA) means a local public school district.

MDE uses the objective criteria it developed, in consultation with parents, teachers, LEAs and interested members of the public, to maintain its list of approved SES providers. The list must be updated at least annually and include lists of approved providers by LEA, from which parents may select.

### Who is Eligible to Apply?

Entities eligible to provide supplemental services might include:

Community agencies Local school districts (LEAs) Public schools Charter schools Private schools After-school programs Child care centers Libraries	Postsecondary institutions Faith-based organizations Private companies Online schools Family literacy programs/Even Start programs Boards of Cooperative Educational Services (BOCES)
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Regardless of the identity of a provider, the instruction and content must be secular, neutral and non-ideological.

LEAs, individual public schools, and charter schools are not automatically considered approved providers. They can be providers if they meet MDE-established criteria and go through the same approval process as all other potential providers.

**Only an LEA that is identified as “in needs improvement” is eligible to be a provider during this application round.**

Providers are permitted to use alternate methods for delivery of services, which may include online, Internet-based approaches and other distance-learning technologies.

### Federal Guidance

The U.S. Department of Education (ED) has issued revised guidance on supplemental educational services. In conducting its approval process, MDE will ensure that each provider it approves:

1. Has a demonstrated record of effectiveness in increasing the academic achievement of students in subjects relevant to meeting the state's academic content and student academic achievement standards.
2. Is capable of providing instructional services that are:
  - High-quality, research-based, and designed to increase student academic achievement.
  - Consistent with the instructional program of the LEA.
  - Aligned with state academic content and student academic achievement standards.
  - Secular, neutral, and non-ideological.
3. Is financially sound.
4. Will provide SES consistent with applicable federal, state, and local health, safety, and civil rights laws.

Additionally, in approving a provider, MDE will consider the following:

5. Information from the provider on whether the provider has been removed from any state's approved provider list.
6. Parent recommendations or results from parent surveys, if any, regarding the success of the provider's instructional program in increasing student achievement.
7. Evaluation results, if any, demonstrating that the provider's instructional program has improved student achievement.

[View the guidance on the U.S. Department of Education website.](http://www.ed.gov/nclb/choice/help/ses/guidance.html)  
(<http://www.ed.gov/nclb/choice/help/ses/guidance.html>)

## **Application Approval Process**

Each application will be reviewed by a team of individuals made up of MDE staff, representatives from LEAs, Title I programs and/or public or private organizations that have experience in the area of providing SES. No fewer than three readers will score each proposal.

Minimum requirements for approval:

- 70 of 100 possible points.
- Initials and signature on Assurances and Compliances Form.
- Approval of the 6/8/2011 MDE waiver request by the U.S. Department of Education.

Successful applicants may remain on the approved list for one school year – 2011-12, unless the provider fails to meet applicable standards or requirements.

The list of approved providers will be updated at least annually.

## **The Application**

The application form is divided into four parts:

- Part I: Basic Program Information
- Part II: Program Design Summary
- Part III: Quality Indicators
- Part IV: Assurances and Signature Form

**Instructions:** Review and follow all directions carefully when completing this application. No supplemental material beyond attachments that are specifically requested in the application will be considered or forwarded to readers.

### **Formatting Requirements**

- Application must be typed, not handwritten.
- 12-point font size, double-spaced.
- Pages must be numbered.
- Part III Quality Indicators must be 20 pages or fewer, exclusive of application text.

**Application Due Date and Submission:** The SES application is to be the original work of the applying program. If a source is used, the materials that are paraphrased or copied must be cited appropriately.

Applications must be postmarked by a U.S. Post Office or submitted to a delivery agent for delivery on or before **July 1, 2011**.

NO HAND-DELIVERED APPLICATION WILL BE ACCEPTED.  
NO APPLICATION POSTMARKED AFTER JULY 1, 2011 WILL BE ACCEPTED.

Four full sets of the completed application, including a signed original and three (3) copies, should be mailed to:

Sarah K. Smith, Education Innovation Unit  
Minnesota Department of Education  
1500 Highway 36 West  
Roseville, MN 55113-4266

Applications that are incomplete will not be considered for this round. This includes:

- Applications without initials/signatures.
- Applications without current insurance information.
- Not enough copies: [application plus three full sets, including MDE-requested attachments].

Feedback will be provided to all non-approved applicants who request it.

**Section 2: 2011 Minnesota SES Application**

APPLICATION PART I: BASIC PROGRAM INFORMATION  
 APPLICATION PART II: PROGRAM DESIGN SUMMARY – NOT TO EXCEED 2 PAGES  
 APPLICATION PART III: QUALITY INDICATORS – NOT TO EXCEED 20 PAGES  
 APPLICATION PART IV: ASSURANCES AND SIGNATURE FORM

**Part I. Basic Program Information**

<b>1. Legal Name of Entity</b>	Name: Buffalo-Hanover-Montrose Schools  Doing Business As (DBA)(this name will appear on the MDE Website): Buffalo-Hanover-Montrose Schools  (MDE reserves the right to alter DBA to eliminate duplicate names.)
<b>2. Applicant Contact Information</b>	Name/phone number of person who completed the application: Pam Miller, Director of Teaching & Learning, 763-682-8777  Name of person(s) who worked on or assisted with the application: Jenina Rothstein, District Instructional Specialist
<b>3. Program Contact Information</b>  [for parents, if approved]	Contact Person Name: Pam Miller Street Address: 214 First Avenue NE City: Buffalo State: MN ZIP: 55313 10-digit Phone: 763-682-8777 Fax 763-682-8748 Email: pmiller@buffalo.k12.mn.us Website: bhmschools.org Hours of operation: : 8:00 a.m. – 4:30 p.m.
<b>4. Subject Areas Covered by Program</b> Check all subjects that you will offer if approved	<input checked="" type="checkbox"/> <i>Reading and language arts</i> <input checked="" type="checkbox"/> <i>Math</i> <input type="checkbox"/> <i>Science</i>  <input type="checkbox"/> Other: _____
<b>5. Date SES Formed</b>	Was this entity in operation as of September 2009? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>6. Type of Organization</b>	<input checked="" type="checkbox"/> LEA

<b>7. Proof of Liability Coverage</b>	Attach a copy of current program liability insurance policy cover page. Coverage is in effect through date: see attachment																		
<b>8. 2011-12 General Program Characteristics</b>	<p><b>A.</b> List the grade levels this program can serve in the coming academic year: K-5</p> <p><b>B.</b> Provide the minimum and the maximum number of students in Minnesota that the program can serve next year while maintaining quality service and results.</p> <p>Minimum number <b>1</b> to maximum number <b>150</b></p> <p><b>C.</b> Describe the methods in which the program delivers instruction to students.</p> <p><input checked="" type="checkbox"/> Individual</p> <p><input checked="" type="checkbox"/> Group instruction: 8 students for every 1 instructor</p> <p><input type="checkbox"/> Online/web-based:                  students for every 1 instructor</p> <p><input type="checkbox"/> Other:                  ;                  students for every 1 instructor</p> <p><b>D.</b> Check the setting(s) in which program can provide services to students this year.</p> <p><input type="checkbox"/> Urban      <input checked="" type="checkbox"/> Rural      <input type="checkbox"/> Suburban</p> <p><b>E.</b> The LEA may provide services to its own students only.</p> <p><b>F.</b> Where does the program propose to provide services in 2011-2012? Check all boxes that apply.</p> <table border="0"> <tr> <td></td><td style="text-align: right;">√ Check if handicap accessible</td></tr> <tr> <td><input checked="" type="checkbox"/> School</td><td><input type="checkbox"/></td></tr> <tr> <td><input type="checkbox"/> Business</td><td><input type="checkbox"/></td></tr> <tr> <td><input type="checkbox"/> Place of religious worship (e.g., church, synagogue, mosque, temple)</td><td><input type="checkbox"/></td></tr> <tr> <td><input type="checkbox"/> Community center</td><td><input type="checkbox"/></td></tr> <tr> <td><input type="checkbox"/> Your home</td><td><input type="checkbox"/></td></tr> <tr> <td><input type="checkbox"/> Student's home</td><td><input type="checkbox"/></td></tr> <tr> <td><input type="checkbox"/> Online</td><td>NA</td></tr> <tr> <td><input type="checkbox"/> Other:</td><td><input type="checkbox"/></td></tr> </table> <p><b>G.</b> Does the organization plan to serve the following groups? If yes, check box and indicate the subspecialties as applicable.</p> <p><input checked="" type="checkbox"/> English Language Learners. Languages: All</p> <p><input checked="" type="checkbox"/> Special education in accordance with IEP. Specific conditions:</p> <p><input checked="" type="checkbox"/> Section 504 in accordance with IEP.</p>		√ Check if handicap accessible	<input checked="" type="checkbox"/> School	<input type="checkbox"/>	<input type="checkbox"/> Business	<input type="checkbox"/>	<input type="checkbox"/> Place of religious worship (e.g., church, synagogue, mosque, temple)	<input type="checkbox"/>	<input type="checkbox"/> Community center	<input type="checkbox"/>	<input type="checkbox"/> Your home	<input type="checkbox"/>	<input type="checkbox"/> Student's home	<input type="checkbox"/>	<input type="checkbox"/> Online	NA	<input type="checkbox"/> Other:	<input type="checkbox"/>
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<input type="checkbox"/> Student's home	<input type="checkbox"/>																		
<input type="checkbox"/> Online	NA																		
<input type="checkbox"/> Other:	<input type="checkbox"/>																		

<b>9. Time of Service</b>	<p>Check the time(s) that best describe when program service delivery to students will occur [cannot offer services during the school day].</p> <p> <input checked="" type="checkbox"/> Before School  <input checked="" type="checkbox"/> After School  <input type="checkbox"/> Weekends  <input type="checkbox"/> Summer  <input type="checkbox"/> Other  Specify: _____ </p>
<b>10. Cost</b>	<p>Provide an average per hour cost per student, based on number of minutes per session, number of sessions per week, or other factors.</p> <p>\$ 30 per hour per student</p> <p>These costs are approximate. If approved and chosen by parent, the provider and district must negotiate a contract, including cost.</p>
<b>11. Transportation</b>	<p>Provide information about the transportation plan to and from program site(s): The SES will be provided at the school site. Parent will be responsible for transportation one way to the site (i.e. for a before-school session, the parent will be responsible to provide transportation to the school, and for an after-school session, the parent will be responsible to provide transportation home)</p>
<b>12. Program Description</b>	<p>Provide a very brief (3 sentences maximum) description of the program's offerings that parents could use in their initial search for providers:</p> <p>BHM supplemental educational services will provide individualized instruction to students in grades K-5 in reading and/or math based on specific identified skill areas in need of improvement. Direct instruction methods will be used in both individual and small group settings, with ample opportunities for guided practice. Formative assessment will be used as a constant strategy to adjust the instruction as needed for success of the student's progress.</p>
<b>13. Other States</b>	<p>Have you been removed from another state's list of approved SES providers?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, in which state(s) did this happen: For what reason(s):</p>



<b>14. Local Approval</b>	<p>The LEA/Charter entity will request School Board or Charter Authorizer approval for its application to become an SES provider by letter, including a copy of this letter as an SES application appendix. The response from the board/authorizer is urged prior to the start of the 2011-12 school year. Final MDE approval is contingent on board/authorizer approval.</p>
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**Part II. Program Design Summary** 2 pages maximum

Summarize the program in a narrative that can be used to present its service to schools, parents or districts. MDE reserves the right, when providing this information, to edit for space considerations. Approved applications will be made available to those who request them.

*BHM supplemental educational services will provide individualized instruction to students in grades K-5 in reading and/or math based on specific identified skill areas in need of improvement. Direct instruction methods will be used in both individual and small group settings, with ample opportunities for guided practice. Formative assessment will be used as a constant strategy to adjust the instruction as needed for success of the student's progress.*

*A variety of curriculum resources will be utilized, based on the needs of the individual students and the learning styles of these students. Pre and post assessment data will aide the instructor in charting student progress. Assessment results will be utilized to drive the instructional decisions of the succeeding sessions with the student. The major focus in reading interventions will be reading comprehension strategies and word study. The major focus in math interventions will be number combinations skill development and problem-solving skill development.*

**Part III. Quality Indicators** 20 pages maximum

The following measures will help MDE determine whether the application meets the minimum threshold to be considered an approved SES provider.

Narrative format requirements: Pages double-spaced, size 12 font or larger. Overall narrative of quality indicators is not to exceed a maximum of 20 pages, exclusive of MDE text. Pages must be numbered. Make sure to label the answers to each of the questions as indicated.

**Note: Citations must be research-based, recent, relevant, and directly connected in the text to program components presented. Federal definition of high-quality research includes multiple studies; independent of model/provider; replicated results; published in peer-reviewed journal.**

## 1. Instructional design 30 points

- a. **Instruction.** List a minimum of 3 instructional components that the applicant's program is built on. Include applicable research supporting the components. Explain how each of these components led to increased student achievement.

*In reading instruction, three instructional components will be used, divided into approximately fifteen minutes for each component. The three components that will be used are (1) Word Study, (2) 1-1 Reading, and (3) Comprehension Strategies.*

*In math instruction, similar to reading, three instructional components will be used, again divided into approximately fifteen minutes for each component. The three components to be used are (1) number combinations, (2) problem-solving with word problems and authentic situations, and (3) other mathematics skills development such as geometry or algebraic thinking skills.*

- b. **Curriculum.** Describe the curriculum (specify vendor and name of product, if applicable) used to support the academic needs and achievement of students. Include applicable research as described above.

*A variety of curriculum resources will be utilized, based on the individual needs of the students in the program. Some of the specific resources for reading and math instruction from which instructors will choose include, but are not limited to: Words Their Way, Ticket to Read, Read Naturally, Intervention by Design, Voyageur Math, and Focus Math.*

- c. **Standards.** Describe the program's alignment to the Minnesota Academic Standards. Be sure to address subject areas checked in Basic Information Item #4. [View Minnesota's Academic Standards on the MDE website.](http://education.state.mn.us/MDE/Academic_Excellence/Academic_Standards/index.html) ([http://education.state.mn.us/MDE/Academic\\_Excellence/Academic\\_Standards/index.html](http://education.state.mn.us/MDE/Academic_Excellence/Academic_Standards/index.html))

*BHM instructors are keenly aware of the Minnesota Academic Standards in reading and math. The district will be identifying key power standards upon which to measure progress and to focus additional instructional during the 11-12 school year. As students enter the SES program, classroom teachers will identify in which standards the student needs additional practice and skill development. Curriculum resources are chosen to match up with the academic standards in reading and math. Assessments are chosen or written to accurately assess the MN Academic Standards in reading and math.*

- d. **Capacity.** Refer to Basic Information Item 8, page 7. Explain how you arrived at the information entered. Include applicable research for serving the stated tutor-to-student ratio.

- i. What are the proposed length and frequency of tutoring sessions? What is your rationale for these numbers?

*We plan to provide tutoring sessions in 45-minute sessions. We believe the sessions of this length provide instructors ample time for direct instruction, guided practice in the specified deficit skill development, and formative assessment to occur, while also keeping the engagement level of the student at a maximum during this time frame.*

- ii. What plan is in place to cover tutoring staff absences, such as substitutes?

*Substitute tutoring staff will be identified along with regular tutoring staff. It will be the responsibility of the scheduled staff to contact a substitute staff member to take their place at the tutoring session in the event the regularly scheduled tutoring staff is unable to keep his/her commitment. The regularly scheduled staff member will have a plan to communicate the tutoring session's objectives for the day, along with the instructional design plan of the day.*

- iii. Discuss the program costs per student.

*The majority of the cost per student is the hourly wage paid to the instructor. Minimal costs beyond that are associated with this program, as the curriculum resources are already purchased for the sites. Copying costs will be minimal.*

## 2. Assessments for assisting student learning

30 points

- a. Specify the pre- and post-assessment instrument(s) to be used. For what purpose was each chosen and why is it applicable to the program? Attach an example of each tool. Include applicable research as described above.

*A variety of pre and post assessment instruments will be used, again depending on the individual student. Some of the assessments to be used in reading include: AIMSweb probe data, QRI or DRA informal reading inventory data, Words Their Way assessment, other locally developed common language arts assessments. Assessment in the area of math will include the use of the Diagnostic Kit for enVisionsMATH, as well as other locally developed common math assessments.*

- b. Describe the specific process used to assess/diagnose student academic needs, identify skill or knowledge gaps, and prescribe an instructional program based on the student's individual needs. How are staff administering these assessments qualified? How is assessment data used to monitor and/or show academic growth?

*Students seeking SES tutoring sessions will first be assessed to diagnose student academic needs by the instructional tutor, with access to the student's classroom assessment data. Depending on the assessment data already collected on the student, the instructional tutor will determine which assessments, such as those described above, will be best utilized to determine specific skill deficit. This will depend on the age of the student, the current level of success of the student, the assessments already administered by other school personnel, and the input of the student in the assessment process. Once the specific skill deficit(s) are identified, the instructional tutor will create a Personalized Learning Plan (PLP) for the student. Assessment data will be gathered and used formatively for instructional decisions at each and every tutoring session. Growth and progress assessment data will be gathered as well at specific intervals of time, depending on the frequency of the tutoring sessions.*

- c. Describe the specific process used to monitor and document student progress on a continuous and regular basis. Specify how often assessments will be administered.

*The monitoring and documentation of student progress will take place through the district's student information system, Infinite Campus. Instructional tutors will document the assessment results, the instructional components, and the frequency of the tutoring sessions on the PLP forms in the district's Infinite Campus software system. Student progress will be monitored and measured in regular intervals, depending on the frequency of attendance at tutoring sessions. The process used and the frequency will follow the district's guidelines used for Response to Intervention (RtI) protocol.*

### 3. Program evaluation

10 points

How does the provider continuously evaluate the tutoring program?

- a. What process will be used to evaluate program effectiveness?

*Student growth data will be examined to evaluate program effectiveness.*

- b. Who will evaluate; how is this person qualified to perform this evaluation?

*The Director of Teaching & Learning for BHM Schools will oversee the evaluation process. The District Instructional Specialist will assist in the evaluation process. Both of these people have extensive training in effective reading and math instruction and intervention programs, as well as extensive training in instructional design and assessment literacy.*

- c. How often will evaluation occur?

*The evaluation will take place on an annual basis.*

### 4. Communication

20 points

- a. Communication with LEA

- i. Describe the connection between the applicant's tutoring program and the program in place at the students' schools. Discuss how this program will be integrated with a district's instructional programs, curriculum, etc.

*Because this is a LEA application, the communication already exists between the district level and the individual sites. All site programs must meet district goals and initiatives.*

- ii. Describe the specific procedures used to report on student progress to the students' teacher(s) and/or appropriate school/LEA staff. Be sure to state how this procedure is used (for example, gains, skills addressed, attendance). Established tutors attach a **redacted** sample report sent to appropriate school staff member.

*The student progress will be reported in the district's student information system, Infinite Campus. The school staff have access to the PLP forms and files within Infinite Campus, so they will have the ability to check the progress at any point in time. Parents will be informed of progress at regular intervals, with consideration given to the attendance and frequency of the tutoring sessions. Parents and the student will be informed of progress at each progress monitoring checkpoint with the student.*

b. Communication with parents

- i. Describe how applicant intends to contact and engage parents and students in order to encourage enrollment and ongoing participation in SES.

*Classroom teachers will recommend students for participation in SES. The instructional tutors will contact parents and students with information about the tutoring program to gain interest and answer questions they may have. Ongoing participation will be encouraged through clear and frequent communication with the parents and student regarding progress and the needs of the student.*

- ii. Describe how parents are involved in creating a timetable and/or goals for their child's academic progress.

*Parents will be included in the process of creating the individual PLP. It will be important to know and understand the perspective of the parent in the student progress process to be able to meet their needs and desires for their student's success.*

- iii. Describe the specific procedures used to report on student progress to the students' parents/families, in their home language, to the extent practicable. Be sure to state how often these procedures are used. Established tutors attach a **redacted** sample report sent to parents.

*The district has limited numbers of students whose first language is not English. However, the two largest populations of non-English speaking students and families are Hispanic and Hmong. The district employs two cultural liaisons, one Hispanic and one Hmong, who provide translations for these families for all district communications home.*

- iv. Describe the process steps for resolving any concerns or complaints that parents may have with applicant's services or staff. Attach a sample report where appropriate.

*Parents with concerns or complaints are invited to meet with the instructional tutor and a district administrator. The concerns will be listened to and the district administrator will lead the discussion in an attempt to find a common understanding among all parties for the benefit of the student. An action plan will be put into place to include a time line and a plan for follow-up communication with the parents.*

5. Quality of staff

10 points

- a. Describe the **minimum** staff qualifications used to hire SES tutors, paid and volunteer.

*The BHM SES program will hire only licensed teachers who have training in reading and math interventions. Additional training may be required by the district prior to the instructors providing tutoring sessions, depending on the individual teacher's knowledge base and skill level to deliver high-quality intervention instruction and assessment practices.*

- b. Describe the training process for both new and ongoing tutors.

*The district instructional specialist will assess the individual instructional tutor's knowledge and skill development in intervention instruction and assessment practices through a series of conversations and self-assessment by the tutor. A training process will then be developed based on the needs of the individual instructor. For example, if the instructor is well-versed in ROAR (Repeated Oral Assisted Reading), but is not familiar with the informal reading inventory and use of the QRI data, this training would be required prior to instruction with students.*

- c. Describe professional development that is:

- i. Aligned with Minnesota Academic Standards.

*Professional development aligned to the Minnesota Academic Standards is individualized based on the needs of the specific professional. It is job-embedded, ongoing, and includes inquiry-based professional development in each of the strands of the standards in reading and/or math. The backwards design model of Grant Wiggins and Understanding by Design allows for a tight alignment of standards, instruction, and assessment, focused on the student outcomes most desired. Honest and quality feedback is necessary for continuous growth and improvement by instructors. An ongoing Professional Learning Community (PLC) opportunity for the instructional tutors is essential for ongoing professional development.*

- ii. Ongoing in reading/language arts, math and/or science.

*This is already addressed in the paragraph above.*

**Part IV. Assurances**

Read and initial each item; then complete signature block.

In submitting this application to the Minnesota Department of Education (MDE) for inclusion on the Supplemental Educational Services (SES) Approved Provider List, I certify by initialing each item that:	
Assurance	Initials
1 This organization meets all applicable federal, state and local health, safety and civil rights laws. The organization/provider will not discriminate on the basis of race, gender, national origin, religion or disability in accepting students and providing students with SES under Title I. In general, a provider may not, on the basis of disability, exclude a qualified student with disabilities or a student covered under Section 504 if a student can, with minor adjustments, be provided SES designed to meet the individual educational needs of the student.	pkm
2 All instruction and content are secular, neutral and non-ideological.	pkm
3 These services will be provided outside the regular school day.	pkm
4 This organization will not apply additional admissions criteria to eligible students.	pkm
5 This organization will provide evidence to each local educational agency (LEA) whose students it serves that individuals providing services to children have successfully passed a criminal background check.	pkm
6 This organization will abide by LEA contract conditions that are consistent with Section 1116(e)(3) and (6) of the No Child Left Behind Act of 2001 (NCLB), such as the payment schedule, rates and facility use fee, if applicable.	pkm
7 This organization, if it is providing transportation to students, will comply with Minnesota and federal guidelines, including the use of a vehicle that conforms to Minnesota school bus standards, including Type III vehicles. The driver of such a vehicle will comply with the licensure for the classification of vehicle being driven.	pkm
8 This organization will provide the LEA and parents of children receiving SES under this part with information on each child's progress in a format and, to the extent practicable, language that parents can understand.	pkm
9 This organization will not disclose to the public the identity of any student eligible for or receiving supplemental educational services without the written permission of the parent.	pkm
10 This organization understands that, if approved, it will not assign or transfer any rights or obligations under this approval for the duration of the approval period.	pkm
11 This organization understands that, if approved, it may prepare informational material for parents of eligible students indicating its approved status, but may not portray this status as a general endorsement of this organization or its services by MDE.	pkm
12 This organization is financially stable and will be able to complete services to the student and LEA.	pkm
13 This organization will assist the state and LEA in monitoring student success.	pkm
14 This organization understands that approval for inclusion on the supplemental educational services list does not necessarily guarantee payment by the state or local education agency. The provider must be chosen by parents and enter into a contractual agreement with the LEA.	pkm

15	This organization understands that it will be removed from the state-approved list of providers in the event that it is unable to enact the elements described in this application.	pkm
16	This organization understands that it must separate educational administration of SES and fiscal responsibility for SES to eliminate the possible perception of conflict of interest.	pkm

\_\_\_\_\_  
August 4, 2011

Signature and Date

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Organization



### Section 3: Informational Appendices

Appendix A: SES Responsibilities, definitions  
From the U.S. Department of Education: Supplemental Educational Services Non-Regulatory Guidance, January 14, 2009

#### SES Responsibilities

An **LEA** with schools required to offer SES must:

- Notify parents about the availability of services, at least annually [Section 1116(e)(2)(A); 34 C.F.R. §200.46(a)(1)].
- Help parents choose a provider, if requested [Section 1116(e)(2)(B); 34 C.F.R. §200.46(a)(2)].
- Apply fair and equitable procedures for serving students if not all students can be served [Section 1116(e)(2)(C); 34 C.F.R. §200.46(a)(3)].
- Ensure that eligible students with disabilities and LEP students receive appropriate services [34 C.F.R. §200.46(a)(4), (5)].
- Enter into an agreement with a provider selected by parents of an eligible student [Section 1116(e)(3); 34 C.F.R. §200.46(b)].
- Assist the SEA in identifying potential providers within the LEA [Section 1116(e)(4)(A); 34 C.F.R. §200.46(a)(2)].
- Protect the privacy of students who are eligible for or receive SES [Section 1116(e)(2)(D); 34 C.F.R. §200.46(a)(6)].
- Prominently display on its Web site, in a timely manner to ensure that parents have current information: (a) beginning with data for the 2007–2008 school year and for each subsequent school year, the number of students who were eligible for and the number of students who participated in SES; and (b) for the current school year, the list of providers approved by the SEA to serve in the LEA and the locations where services are provided [34 C.F.R. §200.39(c)(1)(ii), (iii)].
- Meet its 20 percent obligation. If an LEA spends less than the amount needed to meet its 20 percent obligation, then it must either: (a) spend the remainder of that obligation in the subsequent school year; or (b) meet the criteria in 34 C.F.R. §200.48(d)(2)(i) [34 C.F.R. §200.48(d)(1), (2)].

An SES **provider** is responsible for meeting the terms of its agreement with the LEA, including:

- Enabling the student to attain his or her specific achievement goals (as established by the LEA, in consultation with the student's parents and the provider) [Section 1116(e)(3)(A); 34 C.F.R. §200.46(b)(2)(i)(A)].
- Measuring the student's progress, and regularly informing the student's parents and teachers of that progress [Section 1116(e)(3)(A), (B); 34 C.F.R. §200.46(b)(2)(i)(B), (ii)].
- Adhering to the timetable for improving the student's achievement that is developed by the LEA in consultation with the student's parents and the provider [Section 1116(e)(3)(A); 34 C.F.R. §200.46(b)(2)(i)(C)].
- Ensuring that it does not disclose to the public the identity of any student eligible for or receiving SES without the written permission of the student's parents [Section 1116(e)(3)(E); 34 C.F.R. §200.46(b)(2)(v)].
- Providing SES consistent with applicable health, safety, and civil rights laws [Section 1116(e)(5)(C); 34 C.F.R. §200.47(b)(2)(iii)]. (See C-19, C-31, C-32.)
- Providing SES that are secular, neutral, and nonideological [Section 1116(e)(5)(D); 34 C.F.R. §200.47(b)(2)(ii)(D)].

In the case of a student with a disability served under the IDEA, the achievement goals, measurement and reporting of progress, and timetable described in items 1 through 3 above must be consistent with (although not included in) the student's IEP under Section 614(d) of the IDEA [Section 1116(e)(3)(A); 34 C.F.R. §200.46(b)(3)]. In the case of a student covered by Section 504, the goals, measurement and reporting of progress, and timetable must be

consistent with (although not included in) the student's individualized services under Section 504 [34 C.F.R. §200.46(b)(3)].

## Definitions

**Adequate Yearly Progress:** Adequate yearly progress (AYP) is the measure of the extent to which students in a school demonstrate proficiency in at least reading/language arts and mathematics. It also measures the progress of schools in meeting other academic indicators, such as high school graduation or school attendance. The same measure also applies to LEAs. Each State has developed its own definition of AYP; these definitions have been approved by the Department. [View them in the state's accountability workbook on the MDE Website.](http://www.ed.gov/admins/lead/account/stateplans03/index.html) (http://www.ed.gov/admins/lead/account/stateplans03/index.html). State definitions must reflect the objective of all students demonstrating proficiency by the end of the school year 2013-2014 [Section 1111(b)(2)]. [\[View state accountability plans.\]](#)

**Eligible Student:** Students eligible for SES are those students from low-income families who attend Title I schools that are in their second year of school improvement, in corrective action, or in restructuring. Eligibility is thus determined by whether a student is from a low-income family and the improvement status of the school the student attends [Section 1116(e)(12)(A)]. Note that this differs from the eligibility criteria for public school choice, which is made available to *all* students in Title I schools in need of improvement, corrective action, or restructuring.

**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. Potential providers include individuals or groups of individuals, public schools (including charter schools), private schools, LEAs, educational service agencies, institutions of higher education, faith-based organizations and other community-based organizations, and business groups. A public school or an LEA that is in need of improvement may not be a provider. An approved provider (1) has a demonstrated record of effectiveness in increasing the academic achievement of students in subjects relevant to meeting the State's academic content and student academic achievement standards; (2) is capable of providing instructional services that are (a) of high quality, research-based, and designed to increase student academic achievement, (b) consistent with the instructional program of the LEA, (c) aligned with State academic content and student academic achievement standards, and (d) secular, neutral, and nonideological; (3) is financially sound; and (4) provides SES consistent with all applicable Federal, State, and local health, safety, and civil rights laws [Section 1116(e)(12)(B); Section 1116(e)(5); 34 C.F.R. §200.47(b)].

Appendix B: Provider Code of Professional Conduct and Business Ethics  
From the Education Industry Association (EIA)

Education Industry Association  
Code of Professional Conduct and Business Ethics  
For  
Supplemental Educational Services Providers  
Amended January 8, 2008

This revised code of ethics, as adopted by the EIA Board of Directors, shall become effective January 8, 2008.

SES Providers (and other education service providers) operate in an environment that touches communities, school officials, parents, students and other providers. The importance of the activities and complexity of the interactions make it paramount that EIA member organizations adhere to the highest standards of professional conduct and business ethics. In its role of providing critical leadership to the education industry, both public and private, EIA has adopted this voluntary code to describe key organizational behaviors and policies that will guide its member companies and others.

High quality educational programs delivered by trained professionals represent the core value that is to be reflected throughout all of our partnerships with schools, parents and students. The following structure represents the collective judgment of what constitutes ethical behavior. EIA members are committed to using it to guide decision-making and performance at all levels of their organizations—from the CEO to the employee in the classroom. Accountability for achieving desired results consistent with these guidelines and standards is the ultimate benchmark upon which EIA member service providers will be judged.

We encourage States and Local School Districts to adopt these guidelines into their governance, contractual and oversight systems and apply all appropriate sanctions when the guidelines have been breached.

EIA Compliance Procedures:

1. EIA will develop educational materials on these standards for use by providers, States and school district personnel. These materials will be distributed to members and non-members alike for their incorporation into their internal staff development procedures.
2. All EIA members will sign a statement acknowledging their acceptance of these standards. EIA will maintain a list of signers on its website for the public to review.
3. When a State or School District completes an investigation and has a finding that a breach of these guidelines has occurred, EIA may issue its own censure, suspend or terminate the membership status of the Member. Before EIA acts, it will discuss the matter with the party and offer the party the opportunity to present its information to an ad hoc committee of the Board of Directors.

General Guidelines

In the conduct of business and discharge of responsibilities, Providers commit to:

1. Conduct community outreach and student recruitment and to serve students fully consistent with the terms of their state-approved application and all state and local policies.
2. Conduct business honestly, openly, fairly, and with integrity.
3. Comply with applicable laws, statutes, regulations and ordinances.

4. Avoid known conflict of interest situations.
5. Never offer or accept illegal payments for services rendered.
6. Apply these guidelines and standards throughout the company by insuring all employees understand them and act accordingly.
7. Refrain from publicly criticizing or disparaging other providers.
8. In the case of any conflict, first attempt resolution directly with each other. However, the parties involved may ask EIA to help mediate potential disputes.
9. Comply with the confidentiality and non-disclosure provisions of all applicable federal, state and local laws, including those relating to student identity, records, reports, data, scores and other sensitive information.
10. Be factual and forthright in reporting and documenting attendance rates, effectiveness of their programs, and in explaining the theoretical/empirical rationale behind major elements of its program, as well as the link between research and program design.
11. Take appropriate corrective action against provider employees, consultants or contractors who act in a manner detrimental to the letter or spirit of this code.
12. Take immediate steps to correct any actions on its part that willfully or inadvertently violate of the letter or spirit of this code.

#### Standards Specific to SES

EIA Members will consistently implement the NCLB Supplemental Services provisions and promote full access to SES services. To that end,

#### Providers Shall:

1. **Not** compensate school district employees personally in exchange for access to facilities, to obtain student lists, to assist with marketing or student recruitment, to promote enrollment in a provider's program at the exclusion of other providers, to obtain other similar benefits for their SES program, or for any illegal purpose.
2. **Not** employ any district employees who currently serve the districts in the capacity of Principal, Assistant Principal, or school or district SES Coordinator.
3. **Not** employ any individuals, including teachers, parents or community leaders, who have any governing authority over a school district or school site. The sole exception shall be in school districts that are considered rural and where there are few providers.
4. **Not** hire school-employed personnel for any purpose other than instruction-related services or program coordination, as described in item #3 in the next section below.
5. **Not** make payments or in-kind contributions to schools or school personnel, exclusive of customary fees for facility utilization in exchange for access to facilities, to obtain student lists, to increase student enrollment, to obtain other similar benefits for their SES program or for any illegal purpose.
6. **Not** misrepresent to anyone, including parents (during student recruitment), the location of a provider's program, principal/district or state's approval of a provider, or the likelihood of becoming so approved.

7. **Not** offer a student, parent or teacher any form of incentive for signing-up a student with a provider. This includes restricting the promotion of any allowable attendance or performance incentives to the period following student enrollment. Only then may the provider inform the student of any incentives that are directly linked to attendance or performance in SES.

8. **Not** sponsor promotional events including pizza parties on school grounds for student recruitment that are for the sole benefit of a single provider. The preferred practice is for the school to organize such recruitment events that are for the benefit of all providers, accepting voluntary sponsorship from providers.

9. **Not** employ any SES-enrolled student.

10. **Not** use a district enrollment form that has the selected provider's name pre-printed as part of the form. Any facsimile of the enrollment form used to demonstrate how to accurately complete it must be clearly marked as "SAMPLE" and this facsimile shall in no way be used to actually enroll the student.

11. **Not** encourage students/parents to switch providers once enrolled. A student is considered enrolled once the District has issued the formal student / Provider selection list.

Providers MAY:

1. Provide simple door prizes of a nominal value (approximately \$2 per prize) and refreshments to potential students and their families, while attending informational sessions.

2. Offer enrolled students performance rewards with a maximum value of \$50 that are directly linked to documented meaningful attendance benchmarks and/or the completion of assessment and program objectives. These incentives shall not be advertised in advance of actual enrollment.

3. Employ a parent of an SES-eligible student subject to the following conditions. Each parent of an eligible student who is hired by a provider must have a written job description and must be compensated on the same basis as all other employees of the provider who perform similar work. No parent may receive any commission or other benefit related to the enrollment of his or her child in a provider's program, nor may a parent be subject to any employment action by the provider on account of the parent's selection of an SES program for his or her child.

4. Employ school district employees (subject to items #2, #3 and #4 in the previous section above) for instruction-related services or program coordination purposes as long as the person does not restrict the marketing or enrollment opportunities of other providers, subject to District policies governing conflict of interests and other District-imposed requirements. However, tutors who are currently employed by the school district may not recruit students.

5. Include in tutor compensation, incentives for student achievement consistent with a company's written policy.

For more information about the Education Industry Association, contact Steve Pines, Executive Director, 800-252-3280.

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[View Education Industry Association Website](http://www.educationindustry.org)  
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