

The North Carolina Department of Public Instruction



Supplemental Educational Services Standards and Procedures

Updated October, 2011

NOTE: These standards and procedures may be modified or amended by the North Carolina Department of Public Instruction. Notice of any subsequent modifications or amendments to this document will be given to SES providers, school districts, and the public.

**SUPPLEMENTAL EDUCATIONAL SERVICES
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SUBPART I: DEFINITIONS

Adequate Yearly Progress (AYP) – a component of the Accountability Profile based on a series of performance goals that every school, local education agency (LEA), and State must achieve within specified timeframes in order to meet the 100% proficiency goal established by the federal Elementary and Secondary Education Act (ESEA).

Eligibility –all students from low-income families who attend Title I schools in their second year of School Improvement, Corrective Action, or in Restructuring.

Hours of Service – the number of hours in a provider’s program that will be offered to students participating in Supplemental Educational Services (SES). **All providers must provide a minimum of 30 hours in all LEAs served.**

Instructor(s) – the person or persons employed by a Supplemental Educational Services provider to deliver instruction in reading, English/language arts, and/or mathematics to eligible student(s) enrolled in the provider’s program. Instructors may also be referred to as “tutors.”

Local Education Agency (LEA) – local boards of education (commonly referred to as local school districts).

North Carolina Center for After School Programs (NC CAP) – Representing the diversity of North Carolina after school programs, the NC CAP advisory board has considered the thinking and experience of providers, researchers, and other professionals, in North Carolina and across the country, to determine what high quality programs have in common. In response, the center endorses nine quality indicators of effective after school programs.

Parent(s)/Legal Guardian(s) – the person or persons legally responsible for the guardianship of the student.

Standards for Monitoring SES Providers – a set of criteria that Supplemental Educational Services providers are required to meet in order to demonstrate that the services they provide to students are high-quality.

State Education Agency (SEA or State) – the North Carolina Department of Public Instruction (NCDPI). The State Superintendent of Schools implements the administrative functions on behalf of the North Carolina State Board of Education.

Supplemental Educational Services (SES) – additional academic instruction provided outside the regular school day that is designed to increase the academic achievement of low-income students (as defined by eligibility for free or reduced price meals) who attend qualifying schools.

Supplemental Educational Service Providers – faith-based organizations, profit and non-profit businesses, or LEAs, schools, Institutes of Higher Education (IHEs), community groups, and Regional Educational Service Agencies (RESAs), approved by the State Board of Education to provide additional academic instruction designed to increase the academic achievement of eligible Title I students.

The Elementary and Secondary Education Act (ESEA) - the principal federal law affecting education from kindergarten through high school. ESEA is designed to improve student achievement and close achievement gaps. States are required to develop challenging academic standards, to educate all students to 100 percent proficiency by 2014, and to create and implement a single, statewide accountability system.

Title I – the federal Elementary and Secondary Education Act program that focuses on improving the academic achievement of the disadvantaged by ensuring that all students have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic standards and State academic assessments.

Tutors - the person or persons employed by a Supplemental Educational Services provider to deliver instruction in reading, English/language arts, and/or mathematics to eligible student(s) enrolled in the provider's program. Tutors may also be referred to as "instructors."

Twenty Percent Obligation - the amount equal to twenty percent of an LEA's Title I, Part A allocation that an LEA must spend, subject to demand, on choice-related transportation, SES, or a combination of the two. If the cost of satisfying all requests for SES exceeds 5 percent of an LEA's Title I, Part A allocation, the LEA may not spend less than an amount equal to five (5) percent on those services. Similarly, if the demand from parents of eligible students for transportation needed for public school choice exceeds five (5) percent of the allocation, the LEA must spend the equivalent of at least five (5) percent on choice-related transportation. An LEA has flexibility in allocating the remaining ten (10) percent. In addition, an LEA may, but is not required to, spend up to 1 percent of its twenty percent obligation (0.2 percent of its Title I, Part A allocation) on parent outreach and assistance related to public school choice and SES [*Section 1116(b)(10); 34 C.F.R. §200.48(a)(2)*].

SUBPART II: GENERAL PROVISIONS FOR SES PROVIDERS

Section A: Purpose and Scope

The purpose of this part is to establish general standards and procedures for SES providers approved by the NCDPI. Failure to abide by the standards and procedures detailed in this section may result in removal from the State's approved provider list.

Section B: Provider Code of Ethics

Providers and their employees or any agent representing their company must abide by the Provider Code of Ethics. In the conduct of business and discharge of responsibilities, providers commit to:

1. Conduct community outreach, 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. Conduct affairs so as to avoid conflicts of commitment and avoid or minimize conflicts of interest, and respond appropriately when conflicts of interest arise.
5. Never offer or accept illegal payments for services rendered;
6. Apply these guidelines and standards throughout the company by ensuring all employees understand them and act accordingly;
7. Refrain from publicly criticizing or disparaging other providers;
8. 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;
9. Be factual and forthright in reporting and documenting attendance rates, effectiveness of the programs, and in explaining the theoretical/empirical rationale behind major elements of its program, as well as the link between research and program design;
10. Take appropriate corrective action against provider employees, consultants, or contractors who act in a manner detrimental to the letter or spirit of this code; and
11. Take immediate steps to correct any actions on its part that willfully or inadvertently violate the letter or spirit of this code.

The Code of Ethics has been adapted from the Education Industry Association, revised January, 2008.

Section C: North Carolina Standards for Supplemental Educational Services

SES Providers and their employees will consistently implement the Supplemental Services provisions of the Elementary and Secondary Education Act (ESEA) and promote full access to SES services.

Conflict of Interest

Providers are expected to conduct business affairs so as to avoid conflicts of commitment and avoid or minimize conflicts of interest, and respond appropriately when conflicts of interest arise. A conflict of interest is defined as any act that can be

reasonably questioned as to whether the professional actions or decisions taken are determined by considerations of personal gain, financial or otherwise.

Providers are allowed to market their SES program to families. Providers must not promote their other business services that are not SES to parents/guardians. It is a conflict of interest for providers to use SES to market their business services where parents/guardians are expected to pay for services either out of pocket or through insurance.

Recruitment, Compensation, and Incentives

- Providers must not offer or advertise economic incentives or gratuities of any kind to parents or students to solicit them to enroll in the provider's SES program.
- Providers must 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.
- Providers must 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.
- Providers must 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.
- Providers must 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 must 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.
- Providers must 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.
- Providers must not misrepresent to anyone, including parents, the location of a provider's program, principal/district or State's approval of a provider, or the likelihood of becoming so approved.

Evaluation of Services

- Providers must provide the LEA and SEA with requested information to complete the annual evaluation of SES Provider effectiveness. Information includes but is not limited to students attendance data, pre assessment data, and post assessment data.
- Providers must not attempt to influence or bias parents' completion of the Parent Survey or any other evaluation of the provider's services.
- When completing NCDPI monitoring and evaluation documents, providers must not misrepresent data or report information that is in any way false or inaccurate.

- When requested by the SEA, providers must complete a Self-Assessment utilizing the tool included in the document developed by the North Carolina Center for Afterschool Programs (NCCAP), *Established Standards of Excellence Self-Assessment Tool: K-12*. The self-assessment will provide organizations with a comprehensive view of the SES program and can be used as a means for establishing program goals and evaluating the progress toward reaching the goals. The self-assessment will also be used to provide a means for SEA monitoring of SES programs as required under ESEA [Section 1116(e)(4)(D)].

Requests for Information

- Providers must respond to all reasonable requests for information from school districts and the NCDPI by pre-set deadlines.
- Information includes, but is not limited to letters of intent, assurances forms, policy signature pages, and monitoring and evaluation data requested by the NCDPI, and invoices or attendance sheets requested by districts.

Supervision of Students

- Providers must provide supervision for SES students during the tutoring session.
- Providers should also ensure that students are escorted and appropriately supervised whenever students leave the tutoring space/room (e.g. to go to their locker, to take a restroom break, etc).

Employment Practices

- Providers must not employ any district employees who currently serve the districts in the capacity of Principal, Assistant Principal, or school or district SES Coordinator.
- Providers must not employ any individuals, including school employees or community leaders, who have any governing authority over a school district or school site.
- Providers must 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.
- Providers must not allow tutors who are currently employed by the school district to recruit students.
- Providers must not misrepresent to anyone, including parents, the location of a provider's program, principal/district or State's approval of a provider, or the likelihood of becoming so approved.

Section D: Other Allowable Provisions

In addition to the required standards, approved providers may conduct additional activities as follows:

- Offer incentives during the provision of SES that are approved under the NCDPI Incentive Policy to students for achievement and/or the completion of assessments and program objectives.
- Inform the student of any incentives that are directly linked to attendance or performance in SES after enrollment.
- Provide simple door prizes of a nominal value (approximately \$2 per prize) and refreshments to potential students and their families, while attending informational sessions.

- 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.
- Use incentives to promote academic achievement and/or attendance. Incentives may not exceed \$50.00 per child for the incentive program. Inappropriate incentives would include free daycare when tutoring is not in session. These incentives shall not be advertised in advance of actual enrollment.
- 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; and
 - 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.
- Employ school district employees (subject to the applicable terms in this handbook) 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.
- Include tutor compensation incentives for student achievement that are consistent with a company's written policy.

Section E: Professional Development

The North Carolina Department of Public Instruction offers approved SES providers three professional development sessions. It is strongly recommended that a management member of the approved provider's organization be present at each training session.

Section F: Length and Frequency of Tutoring

Providers and LEAs must consider the age of the children receiving instruction when scheduling the length of tutoring sessions. Tutoring sessions may be held on Saturdays, but appropriate breaks must be scheduled. According to research, rigorous evaluations of tutoring programs reported positive results for programs whose tutoring sessions ran from 10 to 60 minutes in length, although longer sessions did not necessarily result in better outcomes. *[Brailsford, A. (1991). "Paired Reading: Positive reading practice." Kelowna, British Columbia: Filmwest Associates 1991; Warger, 1991; Robledo, 1990; Jenkins & Jenkins, 1985]*

It is strongly encouraged to schedule tutoring for two to three days per week. Tutoring programs in which tutors met with tutees at least three times a week were more likely to generate positive achievement for tutees than programs in which tutors and tutees met twice a week. *[Reisner, Petry, & Armitage, 1990]*

All providers must provide a minimum of 30 hours in all LEAs served. Provider may include in total number of hours up to two hours for administering assessments.

Section G: Billing of Services

Approval as an SES provider does not constitute a guarantee of employment. Payment for services will be provided by eligible school districts through a contractual arrangement only for instructional services rendered for eligible students. Providers are expected to administer the program submitted to the North Carolina Department of Public Instruction. Providers must be paid for hours of service provided to implement the program submitted in their application.

Providers are expected to bill the LEA in the manner that was agreed upon in the contract. Submission of invoices must be done in a timely manner.

Providers may not bill at a higher hourly rate than the student cap will allow. Providers will divide the student cap by the number of hours indicated in the provider's approved program. **Providers must provide a minimum of 30 hours in all the LEAs served.**

Section H: Student Learning Plan Agreements

LEA Responsibilities

According to the requirement set forth by ESEA there must be specific achievement goals for the student, developed 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)]. Section 1116 of the ESEA requires the LEA to develop, in consultation with parents and the provider chosen by the parents a Statement of specific achievement goals for the student on how the student's progress will be measured, and a timetable for improving student academic achievement [Section 1116(e)(3)(A)]. **It is the responsibility of the LEA to develop a student learning plan agreement for each student participating in SES. Each agreement must include the information required under the statute.** However, an LEA and a provider may agree that the provider will complete, on behalf of the LEA, the agreement for each student the provider serves. An LEA cannot require a provider to develop the agreements for the students it serves, absent the provider's consent. Ultimately, the LEA is responsible for reviewing and approving all agreements, and for making sure that all agreements, whether developed by the LEA or by a provider on behalf of the LEA, are completed for all students participating in SES and include the required information. (*Supplemental Educational Services, Non-Regulatory Guidance, January 14, 2009*).

An LEA cannot use the consultation requirement to deny SES to a child whose parents have not participated in the development of their child's SES plan, but who has otherwise requested that their child receive SES. An LEA must be able to demonstrate that it (or a provider acting on its behalf) has made reasonable efforts to consult with a parent of each student who has requested SES. This may include attempts to reach parents through telephone, email, home visits, at school events, or other means. It is recommended that a minimum of three (3) attempts is made using multiple approaches to involve the parent(s) or guardian(s).

Implementation of Learning Plan

Student Learning Plan Agreements should be completed prior to the start of tutoring, but no later than prior to the third session a student will attend. Tutors must have a copy of the Student Learning Plan Agreements on site and be familiar with the content of the

plans. Tutoring must be customized to meet the needs of each individual student aligned to assessment results.

Parent Signatures

The statute does not specifically require a parent's signature as evidence that consultation on a student's agreement has occurred. Rather, an LEA must offer parents a genuine opportunity to consult on the terms of their child's individual student agreement. Payment to providers may not be withheld if the Student Learning Plan Agreements are not signed. However, there must be documented evidence that either the LEA or provider has made good faith efforts to involve the parent(s) or guardian(s) in the process of developing the Statement of Goals.

SUBPART III: PROVIDER EMPLOYEES

Section A: Criminal Background Checks

A tutor may not begin providing services until the criminal background checks have been completed and cleared. In addition to all other requirements imposed by law, all providers of SES must abide by the criminal history check verification consisting of the following requirements.

- Providers must, at a minimum, complete a current and accurate criminal history check for all individuals, paid or unpaid, working with children either in person or via phone/internet in the SES program **prior** to that individual working with SES students.
- Providers must obtain a background check for *all* tutors including, but not limited to certified teachers, any school district staff, and any person that will be tutoring or directly working with SES students.
- Providers must comply with any policies and procedures of the district related to criminal history information checks.
- If the district does not require background checks, providers must obtain background checks in accordance with the following standards:
 - At a minimum, providers must obtain a Statewide criminal background check from the State(s) in which the tutor lives or has lived for the last five (5) years.
 - All providers must obtain criminal background checks that are verified against national and state criminal databases and against the national sex offender database.
 - The provider must obtain criminal history checks for each newly hired employee, and no less frequently than every three years, whichever comes first.
 - Providers themselves must obtain background checks on staff working with SES students unless service is provided by the district.
 - Providers may **not** accept background checks obtained/submitted by employees;
 - In the case of an online provider or any provider that hires tutors who do not live in North Carolina, this may mean that the provider will need to obtain a background check from another State(s).
 - It is the responsibility of the provider to ensure that information submitted for background checks is accurate (i.e., spelling of names, birthdates, etc.), and that background checks are thorough and completed appropriately.
 - All criminal history checks must include the following:
 - Date criminal history check was obtained;
 - Name of agency that completed criminal history check;
 - Name or identity code of the person who ran the background check; and
 - Results of the criminal history check (i.e. “no record,” “record attached,” etc.).
- Each district with whom the provider has contracted has the right to determine which criminal offenses are not allowable, as per district policies and procedures related to criminal history information checks.
- A district may refuse to contract with a provider if an employee of that provider is or has been convicted of any heinous crime against youth or any of the crimes in

accordance with district policies and procedures. In addition, a person with a conviction or convictions for any crime or infraction as determined by the district's policies and procedures may be barred from working with SES children.

If an employee is convicted of any crime(s) during the course of contracted services, that employee **MUST** notify the SES provider, who must immediately submit an updated criminal history check to the district(s) with whom the provider has contracted. If NCDPI determines that a provider has knowingly allowed a person convicted of one or more of the above crimes to work with SES children, without the express permission of each of the district(s) with which that provider has contracted, that provider will be removed immediately from the State-approved list.

Providers should note that Federal non-regulatory guidelines allow an LEA and the NCDPI the authority to cancel the contract with a provider or to remove a provider from the State-approved provider list if criminal background checks are not provided for each employee or if criminal background checks are not completed prior to an employee working with SES students.

Section B: Site Coordinators

The North Carolina Department of Public Instruction requires that SES Providers must hire a site coordinator for every site that has a minimum of 24 students. It is essential to have a person that is coordinating the tutoring of your students. This person could also serve as a substitute in the event a tutor is unable to attend a tutoring session.

Section C: Tutor Qualifications

If a provider has described tutor qualifications in its initially-approved application, the provider must ensure that tutors meet the qualifications described in the approved application. **Tutor qualifications may not be amended without submitting a new application.**

Providers are encouraged, but not required to meet highly qualified requirements for tutors as outlined in ESEA. At a minimum, highly qualified tutors are required to meet Title I paraprofessional qualifications as set forth in the Code of Federal Regulations (34CFR200.58) which States that each paraprofessional must have:

- Completed at least two years of study at an institution of higher education;
- Obtained an associate's or higher degree; or
- Met a rigorous standard of quality, and can demonstrate – through a formal State or local academic assessment – knowledge of, and the ability to assist in instructing, as appropriate;
 - Reading/language arts, writing, and mathematics; or
 - Reading readiness, writing readiness, and mathematics readiness.

Note: A secondary school diploma or its recognized equivalent is necessary, but not sufficient, to meet the requirements described above.

In addition to completing criminal background checks on all tutors, providers must require all tutors to submit resumes/applications and complete interviews to determine tutors' appropriateness for positions and their qualifications before they are permitted to tutor students. Additional consideration for tutors in the program should include education-related experience such as:

- Experience as a tutor, paraprofessional or instructional aide;
- Experience providing programming or instruction to youth;
- Experience as a substitute or student teacher; or
- Experience as a certified teacher.

Section D: District Staff as Tutors

Providers that employ district staff must adhere to the following requirements.

- Providers should take care to avoid real or perceived conflicts of interest when hiring district employees.
- Providers may not hire district employees who are directly responsible for the administration of SES or Title I programs, such as a district SES liaison or a Title I program administrator.
- Providers may not employ any SES-enrolled student.
- Providers may hire tutors who are district employees, but district employees **MUST** follow district regulations related to student recruitment and distribution of promotional materials. Like all providers, district employees cannot distribute promotional materials on school grounds or directly to parents and students on district property unless directly authorized to do so under district policies.
- District employees must maintain compliance with their district employment contract, which stipulates that work conducted during contracted services hours must be limited to district-related services directly defined by the employment contract with the district.
- District employees **cannot** promote one SES provider over another provider.
- During contracted service hours, district employees may provide information about SES as representatives of the district, fulfilling obligations under 20 U.S.C. § 6316(e)(2). District employees may offer general information about SES tutoring services and general information about ALL providers, and may encourage students, parents, guardians and any community member to find out more about SES.

Section E: District Staff at Provider Fairs

Providers may employ teachers to assist in the marketing of their programs during Provider Fairs. Teachers must not work at Provider Fairs if they are sponsored by the school where they are employed as teachers. However, they may work at Provider Fairs at neighboring schools within the same districts where they are employed.

Section F: Substitutes

In order to ensure minimal disruption for student participation in SES, providers must establish a plan to address any instances where tutors may be absent on a day when tutoring sessions are scheduled. The plan must address communication from tutors with the provider, communication from the provider to the LEA, and if substitutes are available, substitute qualifications and training. **Note: Substitutes are subject to the same provisions as all other provider employees including but not limited to the Provider Code of Ethics, all assurances in the Statement of Assurances, and Criminal Background Checks.**

SUBPART IV: PROVIDER SELECTION OF DISTRICTS TO SERVE

Section A: Obligation to Parents and Districts

As part of the application process, providers must select the North Carolina districts that will be served in the upcoming school year. Once parents have selected a provider, the provider must serve the district it has selected. The district has the right to require a provider to serve the district if the provider previously selected the district.

If a provider chooses not to serve a district it selected on the district selection form, the decision as to whether a provider will be required to serve the district or will be allowed not to serve the district, will ultimately be determined by the district. If the provider still refuses to serve the district, the district can remove the provider from the district's provider list for one school year.

Providers that demonstrate a pattern of refusing to serve districts that they previously-selected may be removed from the State's SES Provider List. A pattern is defined as not serving more than one previously selected district in a year (even though students from the district selected the provider and the minimum was met if the provider had a minimum) or refusing to serve the same district(s) for two (2) consecutive years. Please note that for providers with a minimum enrollment indicated in the approved application, this would only be the case if the minimum number of students has enrolled.

Section B: Minimum and Maximum Number of Students

Providers have the option of setting a minimum (i.e., the lowest number of students that a provider can serve in a district for each school site) on the district selection form. This minimum cannot be changed once it has been completed on the district selection form. If the number of students that enroll with an SES provider that has set a minimum meets the provider's minimum, the provider must serve that district. Providers also have the options of setting a cap on the maximum number of students that can serve per school site. Providers should consider the number of students they are equipped to serve when developing and submitting the application. Providers should be prepared to serve the students by having a sufficient number of trained tutors and materials.

SUBPART V: COMPLAINTS

Section A: General Procedures

Pursuant to programs administered under the Elementary and Secondary Education Act (ESEA), this document addresses the requirements of 20 USC § 7844 and 20 USC § 7883 for resolving complaints applicable to covered federal programs. Prior to a complaint issued on the part of a SES provider or an LEA, the complainant must document all actions taken to resolve the areas of concern prior to submitting a formal complaint to the SEA.

- A complaint may be submitted by any individual or organization, in-State or out-of-State, and is defined as a written, signed allegation that a **Federal or State law, rule, or regulation has been violated** by a Provider or the Local Educational Agency (LEA).
- A complaint must be completed on the Supplemental Educational Services Complaint Form. Complainants must include a Statement that an LEA or the Provider has **violated a statute, rule, or regulation** applicable to a covered program and the facts on which the Statement is based.
- The complaint must allege a violation that occurred during the academic year that the complaint is filed.
- A complaint may be filed by parents, teachers, administrators, or other concerned individuals or organizations.
- A complaint that is being filed by a provider or business must be filed by a member of senior leadership or senior management within the company.

Section B: SEA Involvement

Upon receipt of a complaint, the SEA will respond to the complainant.

- The NCDPI will issue a letter of acknowledgement to the complainant that contains the following information:
 - The date that the NCDPI received the complaint;
 - How the complainant may provide additional information;
 - A Statement of the ways in which the NCDPI may investigate the complaint; and
 - The NCDPI's commitment to issue a resolution in the form of a *Letter of Findings*.
- If the complaint involves an LEA, the NCDPI also will send a copy of the acknowledgment letter to the local superintendent or corresponding administrator, along with a copy of the complaint.
- The Program Monitoring Section Chief will assign a NCDPI staff person to be the Complaint Investigator.
- The Complaint Investigator will:
 - Schedule a meeting or conduct a phone conference in order to provide an opportunity for the parties involved to discuss concerns and reach a resolution, if the NCDPI determines that such action is needed;
 - Carry out an independent on-site investigation, if the NCDPI determines that such an investigation is necessary;
 - Review all relevant information and make an independent determination as to whether the public agency has complied with the federal program(s) in question; and
 - Issue a complaint investigation report, entitled *Letter of Findings*.

- Where there are exceptional circumstances present with regard to a particular complaint, an extension of time can be granted to complete the investigation. Time extensions may only be granted after review by the Director of the Program Monitoring and Support Division in which the affected program is located. Complainant(s) will be notified, in writing, if exceptional circumstances exist requiring an extension of the 60-day time period.
- A complaint is considered resolved when:
 - The parties involved reach a mutual agreement, or
 - In the absence of reaching a mutual agreement, the Complaint Investigator reviews and investigates the complaints.
- A *Letter of Findings* will be completed within 60 calendar days of receipt of a complaint. The *Letter of Findings* will indicate Findings of Fact, Conclusions, and Corrective Actions (with a specified timeline) where warranted, as well as the reasons for the NCDPI's final decision.

Section C: Complaint Forms

For complaints originating at the local level, a complaint should not be filed with the NCDPI until every effort has been made to resolve the issue through local written complaint procedures.

Complaints to the NCDPI shall provide, in writing, the facts on which the complaint is based and must be signed by a member of senior management within the company. Complaints may be faxed, emailed or mailed. Persons making written complaints shall register such complaints with:

Donna Brown, Section Chief
 Federal Program Monitoring and Support Division
 North Carolina Department of Public Instruction
 MSC # 6351
 Raleigh, North Carolina 27699-6351
 Fax: 919.807.3968
 Email: donna.brown@dpi.nc.gov.

Complaint forms are also located on the North Carolina Department of Public Instruction website: <http://www.ncpublicschools.org/nclb/ses/materials/>.

SUBPART VI: TERMS OF THE APPLICATION

Section A: General Provisions

The application must be received in the office of Federal Program Monitoring and Support Division of the North Carolina Department of Public Instruction by 4:00 p.m. on the due date of Thursday, February 2, 2012. Late applications are not accepted.

A service representative must sign the Procedure Agreement included in the application. **A signature indicates that the provider and all employees of the provider including tutors will abide by all terms set forth in the NC SES application Section B, Statement of Assurances as well as all provisions of the Standards and Procedures Manual.**

Section B: Statement of Assurances

- The provider/applicant understands and acknowledges that if for any reason the provider/applicant is not selected to be approved by the NC State Board of Education, all NCDPI decisions are final. There is no appeal or legal process for further review or consideration by NCDPI.
- The provider agrees to abide by the fee that will be in compliance with Section 1116(e)(6)(A)-(B) of Public Law 107-110.
- The provider agrees to abide by professional and ethical business practices.
- The provider agrees to have a copy of students' assessment information and Learning Plan Agreements on site. Providers must be able to provide verification that the instruction the student is receiving is based on the needs of the student.
- The provider agrees to abide and follow proper procedures in the case of a student with disabilities; the instructional program supports the implementation of the student's IEP. Individualized Education Program under section 614 of the Individual with Disabilities Education Act or provides services consistent with section 504 of the Rehabilitation Act of 1973.
- The provider agrees to abide by North Carolina's Incentive policy.
- The provider agrees to not encourage the parents/guardians to switch providers once enrolled with a different provider.
- The provider agrees to respect the confidentiality of student needs and share this information only with parents and appropriate school personnel with written permission from parent/guardian.
- The provider agrees to make every effort to involve parents/guardians in developing the Learning Plan Agreement for the student, developing a plan of services, and regularly exchanging information on the progress of the student.
- The provider agrees to provide a healthy, safe, and clean environment in which to tutor students.

- The provider agrees to begin tutoring on time as stated in the LEA /Provider Contract.
- The provider agrees to provide secular, neutral and non-ideological instruction and content.
- The provider agrees to collaborate with the school to provide appropriate services for the student.
- The provider agrees to provide an instructional program that is supplemental to the regular school program and is provided outside of regular school hours.
- The provider agrees to maintain liability insurance that will remain current while working with students in the SES process.
- The provider agrees to maintain appropriate materials to deliver services to students without infringing on the school for copies, materials, etc. The materials will be provided to the tutors prior to the start of tutoring.
- The provider agrees to provide copies of criminal background checks (including child abuse complaints) to school districts. A tutor may not begin providing services until the background checks have been completed and cleared.
- The provider agrees to provide summary evaluation data to the students' home school districts (with written permission of the parent/guardian).
- The provider agrees to abide by the indicated minimum/maximum number of students required for me to serve a school.
- The provider agrees to provide services to students for one full year, disclose information related to financial stability to the LEA, and accept payment for services from the LEA after services have been provided for students.
- The provider agrees to maintain accurate attendance records.
- The provider agrees to supervise students before and after tutoring until they have been picked up by an appropriate person. I understand this is not billable time.
- The provider agrees that tutors will begin appropriate instruction at the appointed time indicated in the contract between the LEA and the provider.
- The provider agrees that tutors will have lesson plans, appropriate materials, and learning plans available at the tutoring site.
- The provider understands that if tutors are repeatedly absent or tardy the LEA may offer parents the option to enroll their children with a different provider of their choice.
- The provider agrees not to provide services to students in a residential dwelling. The Department of Public Instruction will not approve home settings for tutorial sites.

- The provider agrees to monitor all employees and provide training that will support the tutors in providing instruction that will close the skill gaps of the students they instruct.

Section C: Directions for Application Submission

A completed application includes the following items.

1. An electronic copy of the completed application on a CD-ROM.
2. An electronic copy of the application in a portable document format (pdf). E-mail the electronic copy of the application to richard.trantham@dpi.nc.gov.
3. Applications for new SES programs or revised SES programs must include one (1) organized and bound (e.g., 3 ring binder, spiral bound, etc.) copy of the completed application with attachments with a tab for each section as follows:
 - Cover Page
 - Section I: Certifications
 - Section II: Program Abstract
 - Section III: Basic Program Information
 - Part IV: Indicators of Quality
4. A Provider Renewal Application must include one (1) organized and bound(e.g., 3 ring binder, spiral bound, etc.) copy of the completed application with attachments with a tab for each section as follows:
 - Cover Page
 - Section I: Certifications
 - Section II: Basic Program Information
 - Section III: NC CAP Self-Assessment and Planning for Quality

NOTE: The only changes that may be made to a Provider Renewal Application from the originally approved SES application are those sections indicated in the Basic Program Information section of the renewal form of the application. Any other changes made in the SES program will require the applicant to resubmit the full version of the application.

Mail the hard copy and CD-ROM to:

Donna Brown, Section Chief
 Federal Program Monitoring and Support Division
 North Carolina Department of Public Instruction
 Program Monitoring Section
 MSC # 6351
 Raleigh, North Carolina 27699-6351

One bound hard copy must be received in the office of Federal Program Monitoring and Support Division at the NC Department of Public Instruction by 4:00 p.m. on the due date of Thursday, February 2, 2012, for consideration to be a provider for the upcoming 2012-2013 school year. An e-mailed application will not substitute for the receipt of a hard copy with original signatures as required.

Format Guidelines:

1. Use a 10-12 point font for all type.
2. All margins must be 1" wide.
3. Except for original signatures requested, applications must be typed or word processed and not hand-written.
4. The CD-ROM must be in a pdf. file on a CD-ROM formatted for a PC.
5. Create a Table of Contents with page numbers.
6. Create and label a tab for each section i.e., Section I: Certifications.
7. Use a document header or footer with the organization's name, subject area(s), grade levels applying and page numbers.
8. Follow the exact number sequence for responses as is found in the application.
9. Supporting documentation must be labeled and included in the section for which it is requested.
10. Include only attachments requested in the application plus any printed brochures describing the services provided. Evaluation team members will not be required to read or review additional attachments.

SUBPART VII: APPLICATION REVIEW AND RECONSIDERATION

Section A: General Review Process

In general, a Review Team comprised of external and internal reviewers will be established on an annual basis to review new SES applications. Two team members will review each application and each reviewer will complete a *Supplemental Educational Services Rating Sheet*. Each component of the application will be rated as “Met” or “Not Met.” If there is a discrepancy in ratings for any particular item in an application, a third team member will review the application and complete the rating sheet.

Section B: Reconsideration Phase

For applications that receive an overall rating of “Not Recommended,” the applicant will receive a notification of the components rated as “Not Met” **due to being rated “Not Met” in four or more elements**. All notifications will be provided by email based on the contact information provided in the application.

For applications that receive an overall rating of “Not Recommended,” the applicant will receive a notification of the components rated as “Not Met” **due to being rated “Not Met” in three or less elements**. All notifications will be provided by email based on the contact information provided in the application. **Applicants must provide revisions to any components rated as “Not Met” in three or fewer elements (e.g., additional information, documentation) to support the reconsideration of a recommendation of the SES application within five (5) business days from the emailed receipt of the notification to provide.** Application revisions will be presented to the Supplemental Educational Services Evaluation Committee (SESEC) comprised of internal NCDPI staff for reconsideration.

SUBPART VIII: SES Provider Monitoring and Evaluation

Section A: SES Provider Monitoring

In accordance with ESEA, Section 1116(e)(4)(D); 34 C.F.R. §200.47(c), the SEA is required to monitor the quality and effectiveness of the services offered by approved Supplemental Educational Services (SES) providers. The purpose of monitoring is to ensure that SES providers meet federal requirements and to verify compliance with narratives and assurances in the SES provider's approved application.

A monitoring team comprised of internal and external reviewers will monitor a specific number of programs on an annual basis. Provider programs are reviewed based on the following six (6) specific indicators:

- Program Management;
- Instructional Program;
- Parent Communication;
- Health, Safety and Civil Rights Laws;
- District Agreement; and
- Online Provider Requirements (when applicable).

A copy of the monitoring instrument including details for the indicators and sample interview questions is included in this document as Appendix C.

Monitoring visits are conducted at the site where services are provided. The on-site visits will include observation of the tutoring session, review of appropriate documentation, and interviews with provider staff. Site visits will be unannounced for SES providers including those LEAs serving as providers. When monitoring a provider that is not an LEA, a member of the monitoring team will notify the LEA Federal Programs director and/or the LEA's SES coordinator by e-mail of the upcoming visit with specific information related to location, date, and time at least five (5) days prior to the on-site monitoring visit. An LEA observer will be invited to accompany the SES monitor; however, LEA participation is not required.

Monitoring reviews for on-line (virtual) providers will be conducted in the Education Building located at 301 N Wilmington Street, Raleigh, North Carolina. The SES Coordinator will notify the primary contact for the SES Program ten (10) business days prior to the scheduled monitoring review. SES provider programs that utilize devices other than computers for virtual tutoring sessions must bring devices to the monitoring review in order to provide a demonstration of a student tutoring session. Prior to the monitoring review, the SES provider must submit required documentation to DPI. For a list of the required documents, refer to Appendix D.

A Monitoring Report will be issued to the SES provider and the LEA in which the provider offers services. Providers have ten (10) business days from the receipt of the report to respond to all Required Actions as noted in the report. SES Providers will be required to address findings for any indicators determined to be Not Met including any documentation requested to support the actions taken to meet requirements.

Section B: SES Provider Evaluation

The SEA must establish procedures for withdrawing approval from SES providers that fail for 2 consecutive years to demonstrate effectiveness. On September 30, 2009, the

North Carolina State Board of Education (SBE) approved the *Supplemental Educational Services (SES) Evaluation Policy* (Appendix E). The North Carolina Department of Public Instruction (NCDPI) shall evaluate each provider's performance in each district the provider serves on an annual basis. Each provider will be evaluated based on academic achievement, student attendance, and parent surveys. Evaluation results will be weighted for each criterion with student achievement at 50 percent, attendance at 25 percent, and parental satisfaction at 25 percent. A provider must achieve a minimum rating of 75 percent to continue with a status of Good Standing. The failure of a provider to achieve a minimum of 75 percent will result in a provider status of Probationary. A provider that receives two consecutive determinations of probationary status shall be recommended to the State Board of Education (SBE) for removal.

Providers are required to submit all requested data to evaluation staff by May 1 of each school year. Data for services provided to students after May 1 may be included in the following school year's evaluation. Any providers who either fail to submit their achievement data on time, or who submit achievement data, but have fewer than 5 students to analyze are recorded as having "Insufficient Information." Ratings of "Insufficient Information" on one or more criterion may adversely impact the provider's status.

If a provider's compliance with state or federal requirements or interactions with districts or parents indicates areas for improvement based on three formal complaints submitted against the provider within an SES reporting period, the provider's status may also be assigned "with reservations." A provider assigned any status with reservations that fails to address the identified areas for improvement during the next SES reporting period shall be placed into corrective action.

The SBE may require corrective action of a provider if compliance issues are raised through NCDPI's monitoring of the provider's program. Providers placed in corrective action shall, within 30 days after receiving notice to this effect, submit a corrective action plan detailing how the provider intends to improve the deficiencies in its program. A provider shall be removed from the state approved list if it fails to meet the requirements of its corrective action plan by the end of the SES reporting period following the provider's placement into corrective action.

The SBE may immediately suspend a provider's services or remove a provider from the State approved list if NCDPI determines that a threat exists to the health or safety of students, or if the provider has engaged in illegal or deceptive practices, violated any assurance or aspect of its application to NCDPI, violated any assurance or aspect of a plan submitted to NCDPI in accordance with this Section, falsified any information on its application or other reports to NCDPI, or otherwise violated State or federal law.

If a provider is removed from the State-approved list for any reason, the provider and any related organization shall be ineligible to re-apply for the following two fiscal years.

APPENDIX A

Supplemental Educational Services Rating Sheet

Applicant: _____

Evaluator: _____ **Date:** _____

All parts of the application must be complete. Applications receiving a rating of “Not Met” on any item within the four major components may not be recommended prior to the Reconsideration Phase.

I: Certifications

	Met	Not Met
A. Procedures and standards have been reviewed by the applicant.		
B. The applicant certifies that the organization represented is not in debarment status.		

II: Program Abstract

	Met	Not Met
A. The program abstract effectively addresses instructional methods, strategies, and expected outcomes of the tutoring services.		
B. The description is provided in both English and Spanish.		

III: Basic Program Information

	Met	Not Met
A. All relevant contact information is complete.		
B. The applicant addresses all information regarding the history of the organization and includes sufficient explanations for responses as indicated.		
C. The applicant indicates the classification of the organization.		
D. The applicant indicates the subject areas for which services are provided.		
E. The applicant indicates the grade levels for reading and/or math for which services are provided.		
F. The applicant indicates both the length and frequency of sessions within the requirements of the SEA.		
G. The applicant indicates the total hours of instruction within the requirements of the SEA.		
H. The applicant indicates both a minimum and maximum number of students to serve.		
I. The tutor-to-student ratio is indicated within the requirements of the SEA.		
J. Applicant indicates the method in which the program generally delivers instruction.		
K. Applicant indicates if students with disabilities or limited English proficient students can be served by the organization and includes sufficient explanation for responses as indicated.		
L. Applicant indicates the North Carolina school districts in which services will be provided by the organization.		

IV. Indicators of Quality

	Met	Not Met
Indicator 1: Demonstrated Record of Effectiveness in Increasing Student Academic Achievement		
A. 1) For applicants with prior experience, a description of the applicants research-based program that has a demonstrated record of effectiveness based on positive results provided through two or more evidences, or 2) for applicants with no prior experience, a description of research that supports an instructional program that demonstrates promise of successful academic outcomes. Citations must be provided as appropriate.		
B. Applicant provides additional support for effectiveness such as charts, letters, and/or surveys.		
Indicator 2: High Quality Instructional Strategies Based on Scientifically-Based Research		
A. 1) For providers with prior experience, the applicant describes the major elements of the instructional program aligned to scientifically-based research, or 2) for providers with no prior experience, a description of an instructional program which replicates the research described in Indicator 1. Major elements for descriptions may include mode of instruction, class size, time on task, special instructional materials, use of technology, etc.		
B. Applicant describes a process for hiring tutors.		
C. Applicant describes training that is provided for all staff in order to improve student achievement.		
D. Applicant describes a process for reviewing staff performance.		
E. Applicant describes the specific procedures that will be used to report student goals and progress to the students' teacher(s), appropriate school or district staff and parents. The description includes the timetable for reporting goals and progress.		
F. Applicant lists the specific assessments that will be used for pre and post assessments of the students. The description addresses the procedures and timetable that will be used to conduct pre and post assessments of the students.		
Indicator 3: Connection to the North Carolina Standard Course of Study		
A. Grades are aligned to those the applicant indicates will be served in Section III.		
B. Sample goals from the NCSOS are provided for each grade and subject the applicant has indicated the program will address in Section III.		
C. Sample materials listed appropriately address student differences in maturation, ability, learning styles, and use of language.		
D. Sample methods and strategies describe what the teacher will do and what the students will do.		
Indicator 4: Financial Soundness and Business Organization		
A. Applicant demonstrates financial soundness by providing the appropriate documentation for the organization type indicated in the application instructions.		
B. Applicant provides an assurance that proof of liability insurance will be provided upon approval.		
C. Applicant describes business procedures and practices to ensure that all staff conducts business according to the organization's established policies.		
Indicator 5: Services Consistent with Federal, State, and Local Health, Safety and Civil Rights Laws.		
A. Applicant describes a plan to address the confidentiality precautions set forth in ESEA and FERPA.		
B. Applicant describes how student health and safety issues are addressed during the provision of supplemental education services.		

___ Application Meets the Required Standards for Recommendation

___ Application Does Not Meet the Required Standards for Recommendation

APPENDIX B

**North Carolina Department of Public Instruction
Supplemental Educational Services
Complaint Form**

If the complainant alleges noncompliance with the Elementary and Secondary Education Act, Section 1116 (Supplemental Educational Services), the complainant may direct an appeal to the North Carolina Department of Public Instruction.

Complainant is representing: (circle one) LEA SES Provider Parent/Guardian

Name of Person Filing Complaint: _____

Date of Complaint: _____

Phone Number: _____

Email Address: _____

Mailing Address: _____

School District: _____

School (if concern is occurring at a particular school site): _____

Person, district, or SES Provider alleged to be out of compliance:

Federal or State Law of Alleged Non-compliance (Parents/guardians may omit this section):

Provide a brief statement indicating actions taken to resolve the concern with the person, district, or SES provider:

Provide a brief statement describing the area of concern with non-compliance:

Name/Signature of person filing appeal

Date

Send completed form to Donna Brown, Section Chief
Address: Federal Program Monitoring and Support Division, MSC# 6351, Raleigh, NC 27699-6351
Email: donna.brown@dpi.nc.gov
FAX: 919.807.3968

APPENDIX C
Supplemental Educational Services
Provider Monitoring Report

SES Provider: _____	LEA: _____
	LEA Contact: _____
School: _____	
Location of Services: _____	Phone Number: _____
Number of Students/Tutors: _____	Begin/End Time: _____
Completed by: _____	Date of Visit: _____

The State educational agency (SEA) is required to monitor the quality and effectiveness of the services offered by approved Supplemental Educational Services (SES) providers. *ESEA, Section 1116(e)(4)(D); 34 C.F.R. §200.47(c)*. The monitoring visits will cover federal requirements of SES providers; and verify compliance with items included within the application narratives and assurances.

The monitoring visits will focus on the following indicators:

1. Program Management
2. Instructional Program
3. Parent Communication
4. Federal, State, and Local Health, Safety and Civil Rights Laws
5. District Agreement
6. Online Provider Requirements (when applicable)

Monitoring will consist of documentation reviews, on-site observations of services with students, and interviews with staff. DPI staff will conduct the monitoring visit; and district representatives may be invited to attend. Specific evidence will be reviewed for each indicator. Each indicator will be rated overall as Met or Not Met. For each indicator with a rating of Not Met, the SES provider must submit a plan to the SEA within 10 days of the report describing how the requirements will be met.

OVERALL RATINGS

Indicator	Rating	
	Met	Not Met
Program Management		
Instructional Program		
Parent Communication		
Federal, State, and Local Health, Safety and Civil Rights Laws		
District Agreement		
Online Provider Requirements (when applicable)		

_____ Signature of Person Submitting Report	_____ Date
--	---------------

MONITORING INDICATORS

1. Program Management: Providers must adhere to all requirements, assurances, and certifications as indicated in the approved State application. [34CFR200.45(a)(3)]
1.1 The number of students in the group for each tutor does not exceed the 6:1 student to tutor ratio.
Notes:
Required Action(s):
1.2 Attendance records accurately reflect students attending the tutoring session.
Notes:
Required Action(s):
1.3 Assigned tutors are present.
Notes:
Required Action(s):
1.4 The tutor is prepared and begins instruction on time.
Notes:
Required Action(s):
1.5 The tutor continues to provide instruction throughout the contracted time for the tutoring session.
Notes:
Required Action(s):
1.6 Time for snacks, breaks, or incentives is provided outside of the contracted time for the tutoring session.
Notes:
Required Action(s):
1.7 Tutors are provided with sufficient training to enable them to effectively implement the instructional program.
Notes:
Required Action(s):

Interview Questions:

What are the procedures for maintaining attendance records?

What type of training was provided for tutors by the provider?

<p>2. Instructional Program: SES providers must ensure that instruction provided and content used by the provider are consistent with the instruction provided and content used by the school district and state, and are aligned with the State student academic achievement standards. {34CFR200.47(b)(2)(ii)(A) and (B)}</p>
<p>2.1 Appropriate instructional materials for the tutoring session are available for all students.</p> <p>Notes:</p> <p>Required Action(s):</p>
<p>2.2 Student activities appropriately reflect the goals of the Student Learning Plan.</p> <p>Notes:</p> <p>Required Action(s):</p>
<p>2.3 Student Learning Plans are aligned to Individual Education Plans (if applicable).</p> <p>Notes:</p> <p>Required Action(s):</p>
<p>2.4 Instructional materials and methods align to the needs/levels of the student as indicated by the student's assessment information.</p> <p>Notes:</p> <p>Required Action(s):</p>
<p>2.5 Classroom management contributes to a positive learning environment.</p> <p>Notes:</p> <p>Required Action(s):</p>
<p>2.6 Tutors provide consistent verbal and/or written feedback to students on what they are learning.</p> <p>Notes:</p> <p>Required Action(s):</p>
<p>2.7 Student engagement is maintained throughout the tutoring session.</p> <p>Notes:</p> <p>Required Action(s):</p>

Interview Questions:

Describe the hiring process for this provider.

How do you communicate with the provider regarding any additional needs you may have throughout the year? (e.g., need for instructional materials, student behavior issues, etc.)

What assessments are used to assess student learning?

What is the process for assessing student learning?

<p>3. Parent Communication: SES providers must give parents of children receiving supplemental educational services and the child's school district, information on the progress of the student in increasing achievement, in a format that is understandable and uniform in a language that parents can understand. [34CFR200.47(b)(2)(i)]</p>
<p>3.1 Procedures and/or policies are in place for communication with non-English speaking and/or illiterate parents.</p> <p>Notes:</p> <p>Required Action(s):</p>
<p>3.2 Procedures and/or policies are in place that describes the frequency and content of communication with parents.</p> <p>Notes:</p> <p>Required Action(s):</p>
<p>3.3 Progress reports are provided to parents, which include benchmark data that is consistent with the Student Learning Plans.</p> <p>Notes:</p> <p>Required Action(s):</p>

Interview Questions:

How is the Student Learning Plan used?

How are parents informed of the student's progress? How often?

How do you communicate with non-English speaking parents?

4. Federal, State, and Local health, Safety and Civil Rights Laws: SES providers must meet all applicable Federal, State, and local health, safety and civil rights laws. [34CFR200.47(b)(2)(iii)]
4.1 Tutors receive training on procedures and policies for the SES Provider organization.
Notes:
Required Action(s):
4.2 Provider's site coordinator or designee is present before the delivery of services and assumes responsibility for students until tutoring begins.
Notes:
Required Action(s):
4.3 Provider's site coordinator or designee assumes responsibility for students after the delivery of services and remains until all participants are picked up by an authorized person.
Notes:
Required Action(s):
4.4 Policies and/or procedures are in place on student conduct and discipline.
Notes:
Required Action(s):
4.5 Students' emergency contact information is readily available.
Notes:
Required Action(s):
4.6 Tutors understand emergency evacuation procedures.
Notes:
Required Action(s):

Interview Questions:

What training was provided on the organization's policies and procedures to ensure student safety?

What happens when students misbehave?

What would the process be for an emergency evacuation?

What process is in place to ensure that students arrive and depart safely?

What process is followed to ensure that a complete current and accurate criminal history check for all individuals working with children in the SES program prior to that individual working with SES students?

5. District Agreement: The SES provider shall enter into an agreement with the school district to provide supplemental educational services to students. [34CFR200.46(b)].
5.1 SES provider has a signed agreement with the school district.
Notes:
Required Action(s):
5.2 Provider is meeting all provisions of the district/provider agreement.
Notes:
Required Action(s):

Interview Questions:

What are the terms of the district/provider agreement for providing tutoring services in this LEA?

6. Online Provider Requirements: SES providers using the Internet as part of services must adhere to appropriate Federal, State, and local regulations and/or policies.
6.1 If using the Internet, policies and/or procedures prohibiting the transmission of any material in violation of any U.S. or State regulation or school board policy, including, but not limited to, copyrighted, threatening, or obscene material.
Notes:
6.2 If students use a school computer to access information from the provider, there is evidence that the provider complies with all school and/or district policies and procedures regarding computer and/or Internet use.
Notes:
6.3 Provider has obtained parental consent for e-mail and/or Internet communication with students under the age of 13 in compliance with Title XIII – Children’s Online Privacy Protection Act of 1998.
Notes:

Interview Questions:

What policies and procedures ensure that students use the Internet safely?

Appendix D

Supplemental Educational Services On-line Monitoring Reviews

Documentation Checklist for SES Providers in a Virtual Setting

Prior to the scheduled monitoring review, submit the following list of documents to Dr. Ken Kitch at kenneth.kitch@dpi.nc.gov. For all items listed, provide information available for the current school year.

- List of districts in which services were provided with number of students served per district
- Training manuals for staff training
- Monitoring procedures for program implementation
- Monitoring procedures for student participation
- Written instructions/agreements for students and/or parents
- Records of student participation
- Student Learning Plans
- Student assessment results
- Samples of communication with parents
- Parent survey results
- An accrual balance sheet for the previous six months of business from a US Bank or other US Financial Institution on official letterhead listing an audited positive fund balance in US Dollars, and demonstrating that current assets exceed current liabilities.
- Current invoices/payment records for devices, software, or subscription fees required for implementation of the online program
- Copies of invoices for payment of SES with supporting documentation of student participation
- A copy of the entity's current IRS 501(c)(3) letter to demonstrate non-profit status (if applicable)
- A copy of professional liability insurance
- Copies of parental consent for e-mail and/or Internet communication with students under the age of 13 in compliance with Title XIII – Children's Online Privacy Protection Act of 1998

NOTE: SES provider programs that utilize devices other than computers for virtual tutoring sessions must bring devices to the monitoring review in order to provide a demonstration of a student tutoring session.