

SUBMISSION INSTRUCTIONS

Applicants must respond to each question/item in each section of the application. Incomplete applications will not be considered.



Electronic Application Process

Applicants are **required** to complete and submit the application, including all required attachments online at:

www.mde-ses.com

The application and all required attachments must be submitted **before 5:00 p.m. on November 23rd, 2009.**

There will be **NO** exceptions made to the application deadline.

Please make sure you complete the application as early as possible so that we may help you correct any problems associated with technical difficulties. Technical support will be available Monday – Friday, throughout the application period, from 8:00 a.m. – 5:00 p.m.

All information included in the application package must be accurate. All information that is submitted is subject to verification. The submission of false or inaccurate information will disqualify the entity as a provider of Supplemental Educational Services (SES) in Michigan and the entity will not be considered for approval. All applications are subject to public inspection and/or photocopying.

Contact Information

All questions related to the SES application process should be directed to:

Bill Witt
Telephone: (517) 335-6738
Email: MDE-SES@michigan.gov

APPROVAL PROCESS

In order for an applicant entity to be considered for approval and included on the Michigan State-Approved SES Providers' List (Approved List), the applicant entity must complete the application online. Two or more qualified reviewers will rate the application using the scoring rubric developed by the Michigan Department of Education (MDE).

Applications will only be **reviewed** if:

1. All portions of the application are complete;
2. All application materials, including attachments, are submitted electronically prior to the due date;

Applications will only be **approved** if:

1. The above conditions are met for review;
2. The scores received meet the following:
 - a. The total application score meets a minimum of 75 points; **and**
 - b. Each criterion receives the minimum points identified below:

Criteria	Total Points Possible	Minimum Points Required Per Criteria
1. Financial Soundness and Management Structure	25	14
2. Demonstrated Record of Effectiveness	15	7
3. High-Quality, Research-Based	10	6
4. Connection to Content Expectations	10	6
5. Staff Qualifications	10	6
6. Assessment of Student Need	15	9
7. Communication Plan	10	4
8. Fluency and Mechanics	5	3
Total Points Possible	100	
Minimum Points Required for Approval*	75	

* Must also meet the minimum in each criteria

To reiterate, applications must receive a total score of 75 points **and** receive the minimum number of points in each criteria, in order to be approved.

Applications that meet the minimum score in each criterion, but do not receive an overall score of 75 or higher will not be approved.

Applications that receive an overall score of 75 or higher but do not meet the minimum in each criterion will not be approved.

Applicant entities that are not approved will be notified and invited to reapply in the future. Applicants that submit an incomplete application, or late application, will be notified that their application was not reviewed and that they may reapply next year.

PROBATIONARY STATUS - IMPORTANT!

All newly-approved SES providers are placed on probationary status for one year.

During the Probationary Period, Providers Must:

- a) Attend the SES new provider orientation session presented by MDE
- b) Participate in any other school district- or State-sponsored SES training that is mandatory for new providers

During the Probationary Period, Providers are subject to:

- a) All applicable local, state, and Federal laws, policies and agreements related to the provision of SES
- b) This includes, but is not limited to:
 - o Title I, Part A, Section 1116
 - o United States Department of Education (USED) SES Non-Regulatory Guidance of January 14, 2009
 - o Michigan's Assurances and Code of Ethics for SES providers
 - o Contracts with individual school districts or public school academies (PSAs)

Failure to meet any of the above requirements will lead to immediate corrective action, leading up to and including removal from the Approved List.

At the conclusion of the probationary year, each newly-approved SES provider will go through a final review process for determination of status.

In order to be granted full approval (non-probationary) status, providers must:

- a) Have met all requirements above or have a valid explanation, if a requirement is not met
- b) Provided services for eligible students
- c) Be free of any corrective action or pending corrective action

The MDE will review provider status and decide on one of the following options:

- a) Full approval
- b) An additional year of probation
- c) Removal from the Approved List

All decisions made by the MDE are final. There is no appeal process.

Please note that being placed on the Approved List does not guarantee that an SES provider will be selected by parent(s)/legal guardian(s) to provide services.

APPLICATION OVERVIEW

The Application is divided into five sections.

Section A requests basic program information.

Section B requests information related to eight (8) criteria. Your responses in Section B must be in narrative form. You may upload figures (e.g., tables, charts, graphs) to support your narrative, but such items will be counted toward applicable page/word limits.

Section C contains the Assurances. Please read each statement carefully and certify your agreement with all statements therein.

Section D is the Michigan Department of Education Supplemental Educational Services Providers' Code of Ethics. Please read each statement carefully and certify your agreement with all statements therein.

Section E requires that you upload all required attachments as well as any figures to support your narratives.

SECTION A: BASIC PROGRAM INFORMATION

Please enter the requested information in the spaces provided. Be sure to read all notes, as they provide important information regarding each category.

IMPORTANT NOTE: Once approved, providers must operate within the information identified in this application. Changes in application information may be requested in writing to MDE prior to the beginning of the application process in subsequent years. The request must include the rationale for the changes. All changes must receive written approval from MDE prior to implementation and will be determined on a case-by-case basis. This includes, but is not limited to, information changes in the following categories:

- Tutor Qualifications
- Curriculum
- Grade Level
- Service Session Information
- Hourly Rate
- Tutor/Student Ratio
- Maximum and Minimum Number of Students
- Service Area

Instructions: Complete each section in full.

1. Federal EIN, Tax ID or Social Security Number		2. Legal Name of Entity	
3. Name of Entity as you would like it to appear on the Approved List			
4. Entity Type:		5. Check the category that best describes your entity:	
<input type="checkbox"/> For-profit <input type="checkbox"/> Non-profit	<input type="checkbox"/> Business <input type="checkbox"/> Child Care Center <input type="checkbox"/> Community-Based Organization <input type="checkbox"/> Educational Service Agency (e.g., RESA or ISD) <input type="checkbox"/> Faith-Based Organization	<input type="checkbox"/> Institution of Higher Education <input type="checkbox"/> School District <input type="checkbox"/> Other (specify): _____	
6. Applicant Contact Information			
Name of Contact	Phone	Fax	
Street Address	City	State	Zip
E-Mail	Website		

7. Local Contact Information – This contact information will be published.			
Name of Contact	Phone	Fax	
Street Address	City	State	Zip
E-Mail	Website		
8. SES History			
<p>Is the applicant entity a past approved SES provider in Michigan under the applicant entity name or any other name?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, list previous provider company name(s): _____</p>			
<p>Is the applicant entity a current or past approved SES provider in any other state?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, list the state(s) in which entity has been an approved SES provider: _____</p>			
<p>Has the applicant entity ever had any official action taken against it by any state, including but not limited to a formal warning, prohibition of service, or removal from a state-approved SES provider list?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, explain: _____</p>			
9. Service Area			
<p>List the intermediate school district and each individual district in which you agree to provide services. Enter "Statewide" ONLY if you agree to provide services to any district in the State of Michigan. By indicating that you will serve a specific district (or all districts, if you indicate "Statewide"), you agree to provide services to any student in that district whose parent(s)/legal guardian(s) select you as their provider within minimum and maximum capacity. Additionally, you may only enroll students from the districts identified in this application, and you may not add additional districts once the application is approved.</p>			
Intermediate School District(s):		Name(s) of District(s):	
10. Place of Service			
<p>Check the location(s) that best describe(s) where you intend to deliver services to students. If you select "Via Technology," please use the Criteria 2 narrative to identify the type of technology used, describe where the students will access the service and whether it is distance learning. Describe how the session will be facilitated and monitored.</p>			
<input type="checkbox"/> Community Center <input type="checkbox"/> Local Educational Entity (LEA) Facility (<i>Checking this box does not guarantee space will be available in district buildings to offer tutoring. SES Providers must work with each district to gain access to school facilities. Space in school buildings varies by district.</i>)		<input type="checkbox"/> Place of Religious Worship (e.g., church, synagogue, mosque) <input type="checkbox"/> Student's Home <input type="checkbox"/> Via Technology <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Place of Business	

11. Transportation
Do you provide transportation? <i>(If "yes", Districts will require additional insurance.)</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> At Select Sites Only
12. Subject Areas
Check all that apply. <input type="checkbox"/> English language arts <input type="checkbox"/> Mathematics <input type="checkbox"/> Science <input type="checkbox"/> Social Studies
<i>Providers must offer tutoring in English Language Arts and/or math. Newly approved providers may offer additional tutoring in science and/or social studies. Previously approved providers wishing to add tutoring in science or social studies must submit a written request to MDE detailing the elements of the instructional design and connections to Michigan's content standards for these subjects.</i>
13. Grade Levels
List each grade to be served. The program described must address each of the grade levels indicated. _____
14. Minimum number of students per district
Indicate the minimum number of students needed in order to provide services in <u>each</u> district. _____
15. Maximum number of students per district
Indicate the maximum number of students that may be enrolled in <u>each</u> district. This number should allow you to maintain quality service and results. _____
16. Specific Student Populations
Indicate which sub-groups the you will be qualified to serve: English Language Learners (ELL) <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, in which languages: _____ Students with Disabilities: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, which disabilities: _____
17. Session Information
Ideally, how many days per week will a student be scheduled for services? _____ days
Ideally, for how long each day will a student receive services (in minutes)? _____ minutes
How many hours are required for a student receiving tutoring in your program to achieve their individualized learning goals? _____ hours
<i>Applicants must ensure that the maximum hourly rate you identify in number 18 of this application is low enough to allow for the number of hours required to achieve individualized learning goals or that this number is equal or lesser than the guaranteed number of service hours you identify in number 18.</i>

18. Hourly Rate

List the maximum fee per hour of instruction, per student.

\$_____ maximum fee per hour of instruction, per student

The MDE does not allow approved SES providers to charge fees outside of the maximum fee per hour of instruction, per student identified above. The hourly rate should include the cost for all program expenses including, but not limited to: facility expenses, administrative costs, assessment materials, salaries, equipment, software and instructional materials.

Once approved, providers may not exceed the maximum hourly rate indicated above during the academic year identified in this application. Changes in hourly fees may be requested in writing to the MDE prior to the beginning of the application process in subsequent years. The request must include the rationale for the change in the charges. Any increase in rates or fees must receive approval from the MDE prior to implementation.

Does your program ever lower the hourly fee to guarantee each student receives a specific number of service hours?

Yes

No

If yes, what is the **guaranteed** minimum number of service hours each student receives: _____

Applicants must ensure that the maximum hourly rate you identify in this section is low enough to allow for the number of hours required to achieve the individualized learning goals you identified in number 17 or that this number is equal or lesser than the guaranteed number of service hours you identified in number 18.

19. Tutor/Student Ratio

Indicate the maximum number of students who will be assigned to each tutor per session. Student/tutor ratios should fall within the following ranges:

1-5 students: 1 tutor for non-computer based instruction

1-8 students: 1 tutor for computer based instruction in a classroom or lab setting

1-30 students: 1 tutor for online instruction with an off-site facilitator

_____ students: 1 tutor for non-computer based instruction

_____ students: 1 tutor for computer-based instruction (classroom setting)

_____ students: 1 tutor for online instruction (off-site facilitator)

20. Program Summary

Please summarize your program in a narrative form. The description should be 150 words or less and include the following information:

- Your approach or model of instruction, including assessment and goal-setting procedures;
- The structure of a standard tutoring session including length of sessions, frequency of sessions, length of sessions and student /teacher ratio;
- The instructional materials that will be used; and
- Tutor qualifications.

*Please note that this summary will be used by the MDE and/or by the LEAs you serve to describe your services to parent(s)/legal guardian(s) and/or to the public. **The MDE reserves the right to edit your description for space considerations, but will not edit for spelling errors or typos. It is highly advised that you proofread your program description carefully.***

Minimal rewards, up to a total of \$20.00 per student annually, are allowed for attendance or achievement, but may not be advertised in the program description. Technology-based providers that allow students to keep computers at the completion of services may not disclose this information in the program summary.

SECTION B: CRITERIA

Instructions: All responses must comply with stated page/word limits, where applicable. Figures such as tables, charts and graphs can be uploaded at the end of the application, but such information will be counted toward page limits. Text and figures beyond the stated page limit will not be considered and should not be submitted with the application. All references must be cited. **Applications that contain plagiarized information will not be considered.**

Criterion 1 (25 points)

Financial Soundness and Management Structure

Rationale: The *No Child Left Behind Act of 2001* (NCLB) Section 1116(e)(12)(B)(iii) requires providers to be financially sound. Your application will be evaluated on your ability to demonstrate financial soundness and sound management structure through a review of financial and licensure documentation.

Required Documentation: Attach the following documents which will be used to determine that your entity is financially sound. **ALL of these items are required.**

- **Cash-on-Hand:** Applicants must provide evidence that there is enough cash-on-hand to support the business for at least six months. Examples of sufficient evidence are: savings account or checking account statements, notarized letters from investors identifying the investment amount available, evidence of an available line of credit or loan from a financial institution. The amount identified should be enough to cover all projected revenue and expenses for **at least six months** for the **maximum number of students per district** identified in the application. Narrative text that states the money is available is not sufficient evidence of cash-on-hand.

NOTE: Tax documents are not considered evidence of cash-on-hand.

Applications submitted with tax documents as evidence of cash-on-hand are considered incomplete and will not be reviewed.

- **Cash Flow:** Applicants must provide an organizational cash flow that accounts for and details all **monthly projected revenue and expenses** for at least **twelve months, ending in June 2010.**
- **Expense Minimum:** Applicants must provide a comprehensive list of expenses necessary to serve the **minimum number of students per district** identified in the application (See Section A, "Basic Program Information" #14).
- **Expense Maximum:** Applicants must provide a comprehensive list of expenses necessary to serve the **maximum number of students per district** as identified in the application (See Section A, "Basic Program Information" #15).
- **Licensure:** Applicants must provide a copy of their business license or formal documentation of legal status with respect to conducting business in Michigan (e.g., certificate of incorporation, proof of 501(c)(3) tax-exempt status).

- **Insurance:** Applicants must provide a copy of their liability insurance or a quote from an insurance agency that reflects your intent to obtain general liability insurance (Note: the cost of insurance should be included in the organizational budget and also in the comprehensive list of expenses and resources);
NOTE: individual school districts may require additional professional liability insurance coverage.
- **Billing and Payment:** Applicants must provide sample invoices and other business documents for tutoring services identifying that a management structure related to billing and payment for tutoring is in place.
- **Financial Narrative:** Applicants must provide a one-page narrative explaining how the financial documents listed above represent a strong business plan.

The financial documents should only identify revenue and expenses for the Michigan applicant entity. If the applicant entity is part of a national franchise, for instance, only the revenue and expenses directly related to this Michigan applicant entity should be identified in the financial documents. Likewise, if the applicant operates other businesses, the costs associated with these businesses should not be included in the budget. Revenue associated with other businesses may be a viable contribution, but should have sufficient documentation.

Criterion 2 (15 points)

Demonstrated Record of Effectiveness in Increasing Student Academic Achievement

Rationale: Providers must have a demonstrated record of effectiveness in increasing the academic proficiency of students in subjects relevant to meeting the state academic content and student achievement standards

[NCLB Section 1116(e)(4)(B)].

Evaluation: Your application will be evaluated on your ability to demonstrate your record of effectiveness in increasing academic achievement, particularly for low-income and/or underachieving students, in the subjects and grade levels in which you intend to provide services. If you have not served students as an approved SES provider, the following requirements apply to the instructional program you will be using.

Data that provide evidence of a positive impact on Michigan state assessments will be given the most weight. Other evidence that will be considered includes:

- Data that demonstrate a positive impact on national, another state's, and/or district assessments;
- Data that demonstrate a positive impact on other independent, valid and reliable assessments (e.g., provider-administered assessments, teacher-administered content area assessments);
- Data that demonstrate a positive impact on course grades;
- Data that demonstrate positive feedback from customers (e.g., parent(s)/guardian(s), students, LEAs) related to the effectiveness of the instructional program)
- Data that demonstrate a positive impact on other indicators (e.g., student attendance, student behavior/discipline, retention/promotion rates, graduation rates).

Narrative (limit 4 pages, double-spaced): Cite and reference available research studies (as appropriate) and **provide data** that indicate the instructional program has a positive impact on the academic achievement of students in the subjects and grade levels in which you intend to provide services, particularly for low-income and/or underachieving students.

If you intend to serve students with disabilities or students with limited English proficiency, cite and reference available research studies (as appropriate) and **provide data** that indicate the positive impact your program is expected to have on the academic achievement of those student population(s).

Criterion 3 (10 points)

Evidence of a High Quality, Research-Based Instructional Program Designed to Increase Academic Achievement

Rationale: By definition, SES is tutoring and other enrichment services that are high quality, based on research, and designed to increase student academic achievement [NCLB, Section 1116(e)(12)(C)(2)]. According to the USED (January 14, 2009), the major focus of NCLB is to utilize *only* those educational practices that have evidence to suggest that they will increase academic achievement (see *Federal Supplemental Educational Services Non-Regulatory Guidance*).

Evaluation: The application will be evaluated on the applicant's ability to demonstrate that the instructional program is (1) high quality and research-based; and (2) designed to increase student academic achievement. You must describe the findings of any academic research that support major elements of your instructional program.

Major elements must include:

- Instructional strategies;
- Time on task;
- Special instructional materials;
- Use of technology; and
- Other relevant program components.

Narrative (limit 4 pages, double-spaced): Clearly and specifically explain the ways in which the instructional program is (1) high-quality and research-based and (2) designed to increase student academic achievement.

Describe the findings of any academic research that supports the major elements of the instructional program. Major elements must include instructional strategies, time on task, special instructional materials, use of technology, etc.

Criterion 4 (10 points)

Evidence of an Instructional Program and Content Consistent with State Standards and LEA Program(s) – *Connection to Content Expectations*

Rationale: NCLB Section 1116(e)(5)(B) requires applicants to demonstrate that the instruction they provide and the content they use “are consistent with the instruction provided and content used by the local educational agency and state, and are aligned with state student academic achievement standards.” According to the USED (January 14, 2009), instructional content and methods need not be identical to those of the LEA, but they must “*share a focus* on the same state academic content and achievement standards and be designed to help students meet those standards” (*Federal Supplemental Educational Services Non-Regulatory Guidance*, p.15).

Evaluation: The application will be evaluated on the applicant entity’s ability to demonstrate the instructional program’s connection to specific Grade Level Content Expectations, High School Content Expectations, Course/Credit Content Expectations and/or the Michigan Curriculum Framework.

Narrative (limit 1 page, double-spaced): Describe how the instructional program connects to specific content expectations identified by the state. The applicant entity must provide sample student learning objectives and demonstrate alignment to specific Grade Level Content Expectations or High School Content Expectations.

Criterion 5 (10 points)

Evidence of an Instructional Program and Content Consistent with State Standards and LEA Program(s) – *Staff Qualifications*

Rationale: NCLB Section 1116(e)(5)(B) requires applicants to demonstrate that the instruction they provide and the content they use “are consistent with the instruction provided and content used by the local educational agency and state, and are aligned with state student academic achievement standards.” According to the USED (January 14, 2009), instructional content and methods need not be identical to those of the LEA, but they must “*share a focus* on the same state academic content and achievement standards and be designed to help students meet those standards” (*Federal Supplemental Educational Services Non-Regulatory Guidance*, p.15).

Evaluation: The application will be evaluated on the applicant entity’s ability to demonstrate that there is a process for ensuring staff is qualified and there is a plan for ongoing professional development and supervision. This section should include:

- Clearly defined instructor qualifications
- Evidence that instructors possess the minimum of a high school diploma
- Evidence that a systematic plan for professional development is in place that includes the following:
 - Instructional strategies
 - Focus on student learning
 - Assessment & communication of progress to students, parents, and districts
 - Documentation of tutoring sessions and student progress
 - Differentiation of instruction based on diagnosed student needs, and
 - Feedback to students and employees

Narrative (limit 1 page, double-spaced): Describe the process for ensuring staff is qualified and describe plans for ongoing professional development and supervision.

Criterion 6 (15 points)

Evidence of an Instructional Program and Content Consistent with State Standards and LEA Program(s) – *Assessment of Student Need*

Rationale: NCLB Section 1116(e)(5)(B) requires applicants to demonstrate that the instruction they provide and the content they use “are consistent with the instruction provided and content used by the local educational agency and state, and are aligned with state student academic achievement standards.” According to the USED (January 14, 2009), instructional content and methods need not be identical to those of the LEA, but they must “*share a focus* on the same state academic content and achievement standards and be designed to help students meet those standards” (*Federal Supplemental Educational Services Non-Regulatory Guidance*, p.15).

Evaluation: The application will be evaluated on the applicant entity's ability to demonstrate that a specific process is used to assess student need, identify skill or knowledge gaps, and prescribe an instructional program based on the student's individual needs. The applicant must:

- Provide evidence an objective assessment is in place;
- Describe the frequency of objective assessment administration
- Provide evidence of a systematic process to analyze the results of the objective assessment
- Provide evidence of instructional strategies that will meet individual student needs

Narrative (limit 1 page, double-spaced): Describe the plan to assess student academic need, identify skill or knowledge gaps, and prescribe an instructional program based on the student's individual needs.

Criterion 7 (10 points)

Evidence of an Instructional Program and Content Consistent with State Standards and LEA Program(s) – *Communication Plan*

Rationale: NCLB Section 1116(e)(5)(B) requires applicants to demonstrate that the instruction they provide and the content they use “are consistent with the instruction provided and content used by the local educational agency and state, and are aligned with state student academic achievement standards.” According to the USED (January 14, 2009), instructional content and methods need not be identical to those of the LEA, but they must “*share a focus* on the same state academic content and achievement standards and be designed to help students meet those standards” (*Federal Supplemental Educational Services Non-Regulatory Guidance*, p.15).

Evaluation: The application will be evaluated on the applicant entity's plan for communicating student progress to LEA(s)/teacher(s) and to parent(s)/guardian(s). The applicant must:

- Provide evidence that written progress reports occur regularly;
- Provide evidence that communication between the applicant and the stakeholders is documented;
- Describe the process for obtaining parent feedback related to identification of specific instructional goals.

Narrative (limit 1 page, double-spaced): Describe the plan for obtaining parent feedback related to identification of specific instructional goals and communicating student progress to LEA(s)/teacher(s) and to parent(s)/guardian(s).

Criterion 8 (5 points)

Fluency and Mechanics

Rationale: By definition, SES is tutoring that is high quality, based on research, and designed to increase student academic achievement [NCLB, Section 1116(e)(12)(C)(2)]. According to the USED (January 14, 2009), the major focus of NCLB is to utilize *only* those educational practices that have evidence to suggest that they will increase academic achievement (see *Federal Supplemental Educational Services Non-Regulatory Guidance*).

Evaluation: The application will be evaluated on the applicant entity's ability to demonstrate that entity leaders have a basic understanding of basic mechanics and grammar, and the ability to communicate effectively with parents, districts and employees.

Narrative: No additional narrative should be submitted for this criterion. The narrative supplied for criteria 1-7 will be used to demonstrate fluency and mechanics and as a basis for scoring Criterion 8.

SECTION C: 2009-10 SES ASSURANCES

By electronically submitted the SES provider application, I certify that I have read each of the following statements, agree to be held accountable for the content of each of the following statements, and understand that the Michigan Department of Education (MDE) may invoke disciplinary action at any time, up to and including removal from the Approved List, based upon evidence that I have violated any of these Assurances.

1. The applicant entity certifies that the instructional program described in the application is the instructional program that will be offered to students.
2. The applicant entity certifies that the instruction and content that will be offered is secular, neutral, and non-ideological.
3. The applicant entity is responsible for payment of all payroll taxes and other business expenses or fees.
4. The applicant entity will be available to provide services in a district as required by the district's enrollment procedures or contract.
5. The applicant entity will serve all qualified eligible children whose parent(s)/guardian(s) register for services from the applicant entity, on a fair and equitable basis and in accordance with the terms specified in the application.
6. The applicant entity will promptly notify the district, in writing, within three business days, if it does not meet its minimum or exceeds its maximum number of students.
7. The applicant entity will provide parent(s)/legal guardian(s) of children receiving services, and district personnel, information on students' academic progress in an understandable format and language on a regular basis consistent with this application.
8. The applicant entity will provide evidence to the district (before services are delivered) that individuals providing services to children have successfully completed fingerprinting and criminal background checks as required in the district contract.
9. The applicant entity will not disclose to the public the identity of any student eligible for or receiving SES without the written permission of the parent(s)/guardian(s). All public requests for student information should be directed to the district.
10. The applicant entity ensures that the entity is financially sound and agrees to notify the MDE and district, in writing within ten business days, if and when it is no longer financially sound.

11. The applicant entity agrees to follow all applicable Federal, state, and local health, safety, employment, and civil rights laws at all times. This includes, but is not limited to, provision of occupancy permits and fire marshal reports to districts, if requested.
12. The applicant entity will not discriminate on the basis of race, national origin, sex, 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).
13. The applicant entity will provide services consistent with the qualified student's individualized education program under the Individuals with Disabilities Education Act (IDEA) if the student is covered under IDEA or Section 504 of the Rehabilitation Act of 1973 if the entity proposes to serve such students.
14. The applicant entity will comply with the MDE Standards for Monitoring SES Providers. The applicant entity agrees to make all documents available to the MDE or district for inspection/monitoring purposes, and participate in site visits at the request of the MDE or the district.
15. The applicant entity agrees to notify MDE and applicable district(s), in writing, of any change in the contact information provided in this application within ten business days.
16. The applicant entity further ensures that it will provide written notification to MDE, when SES will no longer be provided, thirty days prior to termination of services.

SECTION D: 2009-10 SES CODE OF ETHICS

By electronically submitting the SES provider application, I certify that I have read and understand each of the following statements, agree to be held accountable for the content of each, and understand that the Michigan Department of Education (MDE) may invoke disciplinary action at any time, up to and including removal from the approved list, based upon evidence that I have violated any of section of the SES Code of Ethics.

1. Providers must accurately and completely describe services to consumers in terms that are easy to understand. Reading level for informational materials should be no higher than eighth grade.
2. Providers must create and use promotional materials and advertisements that are free from deception.
3. Providers must not misrepresent to anyone the location of a provider's program or the approval status of a program. If the location of services is dependent upon a minimum student enrollment or the approval of a district, the provider shall indicate the applicable contingencies in its marketing materials.
4. Providers must not publicly criticize or disparage other providers.
5. Providers must not engage in false advertising about other providers' programs.
6. Providers must comply with each district's enrollment procedures.
7. Providers must not distribute a district enrollment form that has the selected provider's name pre-printed as part of the form. The provider may not modify or alter the district enrollment form in any way.
8. Providers must not encourage or induce students or parents to switch providers, once enrolled, without approval by the district. Providers may not create or distribute enrollment change forms for this purpose.
9. Providers must maintain a system of addressing consumer grievances and concerns and must immediately report any grievances to both the district and MDE.
10. Providers must not charge districts more than the maximum hourly rate identified in the application, nor charge districts any additional fees.
11. Providers must not make payments or in-kind contributions to a district, exclusive of customary fees for facility utilization or transportation.

12. Providers must not compensate district employees in exchange for access to facilities, registration, to obtain student lists, or to encourage any district employee to violate district policies or procedure including conflict of interest.
13. Providers must not solicit or accept an exclusive arrangement with any district or school (including, but not limited to, an exclusive right to conduct in-school assemblies or other marketing activities).
14. Providers may not seek access to individual classrooms or interrupt instructional time during the school day for any reason.
15. Providers may not employ any SES-eligible or enrolled student.
16. 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 their 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 their child.
17. School personnel may be hired for instructional purposes only. District personnel hired for instructional purposes shall not recruit students to a provider's program, engage in marketing activities on behalf of a provider, distribute or collect enrollment forms, or otherwise promote or encourage students to enroll in a provider's program.
18. Providers shall not employ any district employees who currently serve in the capacity of Principal, Assistant Principal, building SES Coordinator, or district SES Coordinator.
19. Providers shall not employ any individuals, including teachers, parents or community leaders, who have any decision-making 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.
20. Where a school district or a school is also an approved provider of SES, district personnel assigned SES provider responsibilities shall avoid all conflicts of interest or favoritism, including the following:
 - a. Individuals employed by the district for this purpose shall not present marketing or recruitment information on any occasion unless all other providers approved for the schools served are offered the same opportunity to present information or recruit students.
 - b. The district shall ensure that the individual has no greater access to parents and students at provider fairs, school assemblies, and other, similar occasions than is afforded to all other providers. "Access" means the amount of speaking time available, the space used, and any other resources allocated to providers.

- c. Individuals serving as an approved SES provider shall have duties that are entirely distinct from those of any other district employee who performs oversight with respect to the provision of SES. This prohibits the district SES provider from duties such as serving as the district's liaison to all SES providers within a school or schools, or assigning students to other providers.
21. Before or during the registration period, providers must not distribute any objects (such as gift cards, money, pencils, balloons, candy, Frisbees, tote bags, etc.) to parents or students. Informational program materials should be printed on paper.
 22. Before or during the registration period, providers must not verbally or nonverbally promise or reference any objects or rewards that will be provided upon registration, program completion or as student rewards during the provision of services.
 23. Informational program materials, including the 150-word program summary, must not verbally or non-verbally promise or reference any objects or rewards that will be provided upon registration, program completion or as student rewards during the provision of services.
 24. During the provision of SES, providers may not exceed a total of \$20.00 per student annually for rewards. These rewards may not be identified in any written informational material or identified verbally to parents until AFTER enrollment.
 25. Technology-based providers may not advertise computers as a reward for program completion. Students may keep computers at the cessation of tutoring services, but providers must fully disclose information about the computers as detailed in the MDE Policy of December 15, 2008. This information may not be included in any written informational material or identified verbally to parents until AFTER enrollment. Computers are not subject to the \$20.00 annual cap on rewards.
 26. Providers must not attempt to influence or bias parents when performing an evaluation of the provider's services and achievement of the student's individualized learning goals.
 27. A provider shall not use information provided by parents of SES-enrolled students for any commercial purpose without securing the parent's prior written consent for the intended use of the specified information, except that a provider may use parental contact information to communicate about SES with the parents of students served by that specific provider in any prior year.
 28. Providers must serve substantially all students registered and immediately communicate to the district any students who cannot be served or who drop out of the program.