



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING



JENNIFER M. GRANHOLM  
GOVERNOR

MICHAEL P. FLANAGAN  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION

November 22, 2010

**MEMORANDUM**

TO: State Board of Education

FROM: Michael P. Flanagan, Chairman 

SUBJECT: Approval of Criteria for State-Approved Supplemental Educational Services (SES) Providers

Title I, Part A of the No Child Left Behind (NCLB) Act of 2001, requires each state educational agency to establish a state-approved Supplemental Educational Services (SES) provider list for availability to local school districts and public school academies that have one or more Title I schools in Phase 2 or higher of Adequate Yearly Progress sanctions. Local Education Agencies (LEAs) are required to contract with all approved SES providers in their region and administer the program. Any entity/individual that wishes to or has established itself as an SES provider may apply.

The SES provider must meet the following legislative requirements:

1. Have a demonstrated record of effectiveness in increasing student academic achievement [*Section 1116(e)(12)(B)(i)*],
2. Use instructional strategies that are high quality, based upon research, and designed to increase student academic achievement [*Section 1116(e)(12)(C)*],
3. Provide services that are consistent with the instructional program of the LEA and with state academic content and achievement standards [*Sections 1116(e)(5)(B) and 1116(e)(12)(B)(ii)*],
4. Be financially sound [*Section 1116(e)(12)(B)(iii)*],
5. Provide supplemental educational services consistent with applicable federal, state, and local health, safety, and civil rights laws [*Section 1116(e)(5)(C)*].

Specific criteria related to each of these requirements are presented in Attachment A.

It is recommended that the State Board of Education approve the Criteria for State-Approved Supplemental Educational Services (SES) Providers as attached to the Superintendent's memorandum dated November 22, 2010.

**STATE BOARD OF EDUCATION**

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MICHIGAN  
STATE BOARD OF EDUCATION

**Approval of Criteria for State-Approved Supplemental  
Educational Services Providers**

The State Board of Education has adopted as its goal "Significant and meaningful improvement in the academic achievement of all students/children with major emphasis on the persistently lowest achieving schools and students."

To the extent possible, all grant criteria and grant awards will serve to further attain the above goal, and the Board's Vision and Principles of Universal Education.

**PRIORITIES, POLICIES, AND PROGRAMS THAT THESE CRITERIA SUPPORT**

Title I, Part A of the No Child Left Behind (NCLB) Act of 2001, requires each state educational agency to establish a state-approved Supplemental Educational Services (SES) provider list for availability to local school districts and public school academies that have one or more Title I schools in Phase 2 or higher of Adequate Yearly Progress sanctions. In order for students to be eligible for SES, they must be eligible for the federal free or reduced lunch program. Local Education Agencies (LEAs) are required to contract with all approved SES providers in their region and administer the program. Any entity/individual that wishes to or has established itself as an SES provider may apply. The SES program directly supports the State Board of Education Goal to provide "Significant and meaningful improvement in the academic achievement of all students/children with major emphasis on the persistently lowest achieving schools and students."

**BACKGROUND/PURPOSE OF GRANT**

Competitive     Formula     New     Continuation (*check all that apply*)

The purpose of these criteria is to support the application process required to become a state-approved SES provider. Through the application process, providers become eligible to be on the state-approved list to provide tutorial services for schools identified for improvement. Parents of eligible students select one or more of the providers from the list and request services through a process established by the LEA. Once services have been rendered, providers are reimbursed by the LEAs. The criteria presented are not significantly different than the criteria first approved on February 13, 2007, and have contributed to the ongoing improvement in the quality of the SES providers on the approved list, which for the past three years has included a process for evaluating approved providers.

**CRITERIA**

Date criteria were last approved: February 13, 2007.

- Defined in Law       Defined in Department's Approved Grant Application to the Funder       Proposed by Staff

SES programs are federally mandated by Section 1116 of Title I, Part A of the NCLB Act of 2001. Subsection (e) of Section 1116 focuses specifically on the State Education Agency's (SEA's) responsibilities related to the approval process for applicant entities that would like to become state-approved SES providers:

The SEA must develop and apply objective criteria for approving SES providers. The criteria for approving providers, as well as the list of approved providers, must be published.

In conducting its approval process, the SEA must ensure that each SES provider:

1. Have a demonstrated record of effectiveness in increasing student academic achievement [*Section 1116(e)(12)(B)(i)*],
2. Use instructional strategies that are high quality, based upon research, and designed to increase student academic achievement [*Section 1116(e)(12)(C)*],
3. Provide services that are consistent with the instructional program of the LEA and with state academic content and achievement standards [*Sections 1116(e)(5)(B) and 1116(e)(12)(B)(ii)*],
4. Be financially sound [*Section 1116(e)(12)(B)(iii)*],
5. Provide supplemental educational services consistent with applicable federal, state, and local health, safety, and civil rights laws [*Section 1116(e)(5)(C)*].

Since 2007, the Michigan Department of Education (MDE) has implemented a competitive application process, publicly noticed and widely disseminated, to receive, review, approve or deny SES provider applications on a competitive basis, assuring adherence to the five above NCLB mandated criteria.

The applicant provides specific evidence (e.g., data, research citations) that the instructional program has a positive impact on the student achievement of the targeted student population and in the subject(s) and grades proposed. Positive impact on Michigan state assessments (e.g., MME scores) should be given the most weight, but other valid and reliable assessments will be considered. Applications of currently approved providers will also be evaluated based on data from satisfaction surveys and complaint resolution history.

The applicant:

1. Describes how the instructional program connects to specific content expectations identified by the state and LEA,
2. Identifies the process for ensuring staff is qualified, and identifies the plan for ongoing professional development and supervision,
3. Identifies the process used to assess student need, identifies skill or knowledge gaps, and prescribes an instructional program based on the student's individual needs,
4. Describes the plan for communicating student progress to LEA(s), teacher(s), and to parent(s)/guardian(s).

Application review panels drawn from the education community review and make recommendations for approval to MDE based upon scores received using a calibrated scoring rubric. The Office of Education Improvement and Innovation (OEII) makes final determinations regarding approval or denial of submitted applications and notifies applicants appropriately in a timely manner.

### **ELIGIBLE APPLICANTS/TARGET POPULATION TO BE SERVED BY GRANT**

An eligible provider may be a nonprofit entity or a for-profit entity that meets the five criteria identified in NCLB Sections 1116(e), described above.

### **TOTAL FUNDS AVAILABLE**

N/A

### **LAW**

SES programs are federally mandated by Section 1116 of Title I, Part A of the NCLB Act of 2001. Subsection (e) of Section 1116 focuses specifically on the SEA's responsibilities related to the approval process for applicant entities that would like to become state-approved SES providers. The law is cited in detail above, under the Criteria section.

### **OFFICE ADMINISTERING GRANT/PROGRAM CONTACT**

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