

RESPONSIBILITIES OF APPROVED SUPPLEMENTAL EDUCATIONAL SERVICE PROVIDERS

Title I, Part A, Section 1116 of the *No Child Left Behind Act of 2001* (NCLB) states that in order for a Supplemental Educational Service (SES) provider to be included on the State-approved list, a provider shall agree to carry out the following:

- A. Provide parents of children receiving SES... and the appropriate local education agency with information on the progress of the children in increasing achievement, in a format and, to the extent practicable, in a language that such parents can understand.
- B. Ensure that instruction provided and content used by the provider are consistent with the instruction provided and content used by the local education agency and State, and are aligned with State student academic achievement standards.
- C. Meet all applicable Federal, State, and local health, safety, and civil rights laws.
- D. Ensure that all instruction and content... are secular, neutral, and non-ideological.

SES providers may be removed from the Approved List at any time for cause. Examples of "cause" (i.e., reasons a provider could be removed from the Approved List) include:

- A. Failure to deliver the SES model that is described in the approved application.
- B. Requesting personally-identifiable information about students without receiving permission to do so.
- C. Failure to perform criminal background checks of all employees as required by Michigan statute and the guidance provided by the Michigan Department of Education, Office of Professional Preparation Services.
- D. Failure or refusal to serve student(s) whose parent(s)/legal guardian(s) requested the SES provider's services in a Local Educational Agency (LEA) within the SES provider's service area, **except** when the total number of students requesting services does not meet the minimum number stated in the SES provider's application (i.e., the minimum number stated in the SES provider's application was 5 students and only 3 students requested the SES provider's services) or when additional students would cause the SES provider to exceed its capacity (i.e., additional student(s) would cause the SES provider to exceed the maximum number stated in the SES provider's application or to exceed the number of students the SES provider's site reasonably and safely accommodates).

- E. Providing inaccurate information on the application.
- F. Violating or not meeting any criteria on the Assurances page or violating any of the items listed in the Code of Ethics.
- G. Failure to comply with applicable Federal, State, and local health and safety requirements.
- H. Failure to submit requested data, including progress reports.
- I. Upon conclusion of an investigation of a formal complaint filed with the Michigan Department of Education (MDE) in which the complaint is supported.

MDE will investigate complaints from LEAs, SES providers, parent(s)/legal guardian(s), students, and the general public. When investigating a complaint, the actions the MDE may take include, but are not limited to; an on-site visit, examining relevant documents, and/or interviewing relevant persons. Upon conclusion of the MDE's investigation, the MDE may require the SES provider to take corrective action and/or the MDE may take appropriate action to remedy violations including, but not limited to, removal of approved status. All complaints must be submitted to the MDE in writing to:

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