



Supplemental Educational Services for Title I Schools

1. What are supplemental educational services?

Supplemental educational services (SES) are additional educational opportunities for students in low-performing schools provided outside the regular school day. These services may include tutoring, remediation and other educational interventions.

2. Which students are eligible for SES?

Students are eligible for SES if they are from low-income families and attend schools designated for school improvement for the second consecutive year or schools designated for corrective action or restructuring. If there is not enough space at an approved provider, the district must set up fair and equitable procedures for serving students.

Districts must give priority to the lowest-achieving low-income students, and they must use objective criteria to determine who the lowest-achieving students are. For example, the district may focus services on the lowest-achieving eligible students in the subject area that caused the school to be designated for school improvement. If a district anticipates that it will not have sufficient funds to serve all eligible students, it should notify parents that priorities will be set to determine which students may receive services.

3. Are private school students who are receiving Title I services entitled to SES?

No.

4. For how long must SES be provided?

Services must be provided until the end of the school year, unless the amount of funds or intensity of services limits the availability of services to a shorter period of time.

5. Who is eligible to provide SES?

SES providers are approved by the state, which must develop a list of potential providers based on objective criteria, including a provider's demonstrated record of effectiveness in increasing student achievement.

Potential providers include nonprofit organizations, for-profit organizations, education service agencies, school districts, public schools and private schools, and public and private institutions of higher education. Faith-based organizations also may be providers, but they should not discriminate against beneficiaries on the basis of religion, and instruction must be secular, neutral and non-ideological.

Districts and schools that are designated for school improvement cannot be providers, unless there is no other provider that can serve English language learners and/or students with disabilities. In that case, the district is responsible for providing services to these students.

Schools that have made adequate yearly progress, but are located in districts that are in school improvement, may serve as providers.

An individual or group of individuals, such as teachers, may serve as providers if they are organized as a nonprofit or for-profit entity and meet the applicable statutory and regulatory requirements.

6. Must providers serve students with disabilities?

States and districts must ensure that eligible students with disabilities and students covered by Section 504 receive appropriate educational services and accommodations. These services must be consistent with each student's individualized education program (IEP), under IDEA, or a student's individualized services, under Section 504. Such services and necessary accommodations must be available, but not necessarily from each provider. If no provider is available to serve an eligible student with a disability, the district must provide these services, with necessary accommodations, either directly or through a contract.

7. Must providers serve English language learners (ELLs)?

States and districts must ensure that eligible ELLs receive appropriate educational services and language assistance. Such services and assistance must be available, but not necessarily from each provider. If no provider is available to serve an eligible ELL student, the district must provide these services, with necessary language assistance, either directly or through a contract.

8. Can a state require supplemental service providers to hire only staff who meet the definition of a "highly qualified" teacher?

No.

9. What are the district's obligations in notifying parents about the availability of SES?

The district must notify parents annually whether their children are eligible for SES. The notification must be understandable and, where practicable, in the parent's language. The notice must:

- Provide a list of approved providers within the district or reasonably available in neighboring districts;
- Provide a brief description of the services, qualifications and demonstrated effectiveness of such providers; and
- Describe the procedures and timelines that parents must follow to select a provider.

10. What happens after a parent selects an SES provider for his or her child?

The district must develop, in consultation with the parents and the provider, a statement of specific achievement goals for the student, how the student's progress will be measured, and a timetable for improving achievement. The plan must also describe how the parents and teachers of the student will be regularly updated on the student's progress, provide for the termination of the agreement if the provider cannot meet the goals and timetables, and contain provisions on how the district will pay the provider.

11. Can a district set a deadline by which parents must request SES?

Yes.

12. Can parents switch to another provider during the school year if they are not happy with the services their child is receiving?

Yes.

13. Can parents choose to transfer their child to another public school AND obtain SES for them?

No.

14. Are providers required to inform teachers about their students' progress?

Classroom teachers who teach students receiving SES must receive regular updates from the provider on their students' progress.

15. How much money can be spent per-pupil?

The district must spend the lesser of the per-pupil Title I allocation or the actual costs of providing the SES.

16. How does the district pay for these services?

A district should pay a provider directly. However, the U.S. Department of Education has determined that districts may also issue certificates or coupons to parents for them to purchase services from an approved provider.

17. Is the district required to pay for or provide transportation to the service providers?

No.

18. How much money is the district required to spend on SES?

The district must spend an amount equal to 20 percent of its Title I funds on a combination of transportation for public school choice or supplemental educational services, provided there is demand for such services.

19. What if no parents in a district choose the public school choice option and the district has no public school choice transportation expenses? Is the district required to spend the funds set aside for public school choice transportation on supplemental services?

The district is only required to do so if the demand for SES equals 20 percent of its Title I allocation.

20. What if the district realizes after the school year starts that it doesn't need 20 percent of its Title I allocation to meet the demand for SES and public school choice? Can it reallocate that money back to Title I schools?

Yes. If these funds were originally made available by reducing allocations to specific Title I schools, then the district must reallocate the unused funds to those schools.

21. Are there any circumstances under which a district would not have to provide SES to eligible students?

At the request of the district, a state may waive the requirement of SES if the district demonstrates that none of the approved providers can make their services available within the district or via distance learning, and provides evidence that it is not otherwise able to make those services available.

22. Can information on students receiving SES be made public?

Districts and providers cannot disclose to the public the identity of any student eligible for SES without the written permission of the parent and the student.

23. How will the public know if SES providers are effective?

Program providers must be able to show how their program has helped students. Each state will have to define how it will monitor the quality and effectiveness of the SES offered by providers. The state must use objective criteria in line with those used to initially screen providers for inclusion on the state list.

The criteria must include ensuring that SES instruction is consistent with the instruction, content, and standards used by the district and the state.

If a provider fails, for two consecutive years, to contribute to increasing the academic achievement of the students it serves, the state must remove it from the list of eligible providers. The law does not indicate if a provider removed from the list can reapply for inclusion on the list.