FLORIDA DEPARTMENT OF EDUCATION

Gerard Robinson
Commissioner of Education

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Technical Assistance Paper

Local Educational Agencies Monitoring
Supplemental Educational Services (SES) Providers

Summary:
The No Child Left Behind (NCLB) Act, signed into law in January 2002, amended the Elementary and Secondary Education Act of 1965 and provides low-income parents whose children attend Title I schools identified as being in need of improvement an opportunity to access free tutoring or Supplemental Educational Services (SES). The purpose of this document is to provide a tool and guidance for Florida's school districts in monitoring compliance with federal and state laws of state-approved SES providers.

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Status: **X** New Technical Assistance Paper
         ☐ Revises and Replaces Existing Technical Assistance:

Issued by the
Florida Department of Education

Bureau of Federal Educational Programs
Office of Public School Options
http://www.fldoe.org/flbpso/

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GENERAL INFORMATION

A-1. What are the responsibilities of the school district?

34 C.F.R 200.47, requires state educational agencies (SEA) to develop, implement, and publicly report on standards and procedures for monitoring the quality and effectiveness of the services offered by each approved Supplemental Educational Services (SES) provider. As part of the Florida Department of Education's efforts for continuous improvement, the Department is providing tools and strategies for local educational agencies (LEA) to use to ensure that effective controls and accountability are maintained to ascertain the appropriate use of Title I, Part A funds for SES. School districts should establish strong internal controls to safeguard SES funds and ensure that SES providers are paid for services rendered. School districts should follow written operating procedures as internal controls relating to SES provider payments. Good practice dictates that school districts monitor a statistically valid number of providers who have a signed contract with the district in a given school year. The Department encourages school districts to perform onsite monitoring of as many SES providers as feasible.

ESSENTIAL COMPONENTS OF MONITORING SES PROVIDERS

B-1. What are the specific monitoring activities that a district should perform?

Successful monitoring comprises three components:
- written operating procedures
- onsite observation
- documentation

Written procedures are an essential component of the school district's internal control structure that helps ensure compliance with federal and state laws, rules, and management directives. They should be routinely reviewed and updated to assist in controlling processes and provide direction to staff. Such procedures provide a training tool for new staff, and continuity and uniformity in operations.

The purpose of onsite observation is to ensure that students are receiving SES instruction as described in the provider's approved application and in compliance with the district's provider contract.

Documentation can assist the LEA in measuring compliance, and identifying any areas in need of further attention.

B-2. What are the specific written operating procedures that a district should have in place?

Enrolling Students

School districts must make a concerted and documented effort to enroll students in SES. Written procedures should outline the specific process to annually notify parents of eligible students of the availability of SES, including the medium of notification (flyers, newspapers, school newsletters, banners, school-wide automated phone calls, etc.) The procedures should also provide the framework for how the district will make the SES enrollment form widely available to parents, both prior to and after the start of the school year, and include a clear description of how parents can communicate their SES choice.

Assigning students to providers

Written procedures for assigning students to providers should include information about the management software being utilized (as applicable), how the district will take into account parental preference, and the district prioritization plan.

Processing invoices for payment

Written procedures should include information on the management software (as applicable), the basic information the invoice must include (student name, name of provider, etc.) and the documentation required to accompany an invoice, such as the signed attendance record. Include any required additional information, such as the type of information required for payment to be issued, itemized invoices, definition of services, proof of services rendered, per pupil allocation, provider's rate consistent with district contract, etc. Attention should be given to any provisions for nonpayment or withholding payment and should outline the process and timelines for submitting invoices and payment to the provider. Provisions governing missed tutoring sessions should also be outlined. Districts should ensure that their invoice management process will identify any duplicate or incomplete invoices.

Reviewing invoices for accuracy

Written procedures should include the methods by which the district will ensure the accuracy of the invoice, such as comparing the date/time invoiced to the date/time recorded on the student attendance sheet. This section should also include how staff will perform random invoice spot checks for items not normally verified during the monthly invoice review (i.e., student to tutor ratio).

Verifying student attendance

Accurate invoicing dates and times are necessary for accurate billing and to assist the school district in reviewing invoices. This section of the written procedures should detail how the district will verify the student's attendance at the invoiced SES sessions, including but not limited to signed student attendance records or parental signature.

Evaluating SES provider performance

Written procedures should outline the methods the district will utilize to evaluate contractor performance. Although not required by the Department, parent surveys are helpful tools that districts can use to assess the validity and reliability of the information received from providers regarding student attendance. The written procedures should also outline the process the district will utilize in conducting onsite observations of SES providers, including any checklist the reviewer will use.

B-3. What are the essential components of an onsite monitoring checklist?

The use of an onsite monitoring checklist will ensure that providers are monitored for the same compliance items regardless of the staff conducting the observation. Below are suggested items for inclusion in such a checklist.

Consistency with the State-Approved Application

- Tutor to student ratio (group size)
- Grade levels of students being served
- Curriculum utilized
- Progress monitoring assessments
- Pre- and post- assessment instruments, as applicable

Compliance with the Student Learning Plan (SLP)

- Session start/end time
- Tutor has each student's SLP
- Tutor has each student's lesson plan
- Instruction and instructional materials linked to the SLP
- Students engaged in meaningful tasks consistent with the SLP

Instruction

- Instruction and instructional material are secular, neutral, and non-ideological
- Students are grouped appropriately for instruction
- Materials and supplies are available to meet the needs of the students
- Tutor provides individual assistance to each student
- Time spent on task is appropriate
- Tutor is engaging and motivating

Tutor Interactions with Students

- Immediate, appropriate feedback is given during the session
- Student behavior does not interfere with instruction
- Students are informed of their progress

Other Compliance Issues

- Student attendance is tracked by provider
- Time for snacks or breaks does not use up tutoring minutes
- Appropriate measures taken for accidents that occur during session
- Proper identification is worn by tutor
- Students arrive safely and are released to the appropriate person
- Students are under adult supervision at all times
- Tutor has emergency contact information
- Tutoring instructional site is free of hazards and conducive to learning

RESOURCES

- Education Industry Association - A Code of Professional Conduct and Business Ethics for SES Providers (1/8/2008): http://www.educationindustry.org/
- Monitoring and Reporting Student Progress for Supplemental Education Services (SES) (K-12 Memo 2009-200, December, 2009): http://info.fldoe.org/docushare/dsweb/Get/Document-5598/dps-2009-200.pdf
- Technical Assistance Paper (TAP) Related to Public School Choice Parent Outreach and Notification (K12 Memo 2008-47, June 9th, 2008): http://info.THE FDOE.org/docushare/dsweb/Get/Document-4362/k12-08-58memo.pdf
- Technical Assistance Paper (TAP) Related to Student Learning Plans for Supplemental Educational Services (K-12 Memo 2009-053, September, 2009): http://info.fldoe.org/docushare/dsweb/Get/Document-5519/dps-2009-153.pdf
- Technical Assistance Paper (TAP) Related to Fingerprinting/ Background Screening Requirements of State-Approved Supplemental Educational Services (SES) Providers (K-12 Memo 2009-017, January 16, 2009): http://info.THE FDOE.org/docushare/dsweb/Get/Document-5266/DPS-2009-017.pdf
- Technical Assistance Paper (TAP) Related to the Written Contractual Agreement Between School Districts and State-Approved Supplemental Educational Services Providers (K12 Memo 2008-46, April 29th, 2008): http://info.THE FDOE.org/docushare/dsweb/Get/Document-4959/k12-2008-46-tap.pdf
- 20 U.S.C.A. Section 6316; United States Department of Education Supplemental Educational Services Non-Regulatory Guidance; http://www2.ed.gov/policy/elsec/leg/esea02/pg2.html#sec1116
- Section 1008.331, Florida Statutes http://flsenate.gov/Laws/Statutes/2011/1008.331
- Payments to Supplemental Educational Services Providers Compliance Audit (November 2009): http://www.fldoe.org/ig/pdf/payments-ses.pdf

APPENDIX A: Sample SES Provider Onsite Observation Form

SES Provider Observation Form

Provider: _____ Date: _____ Tutor: _____

Where is instruction taking place? ☐ School: _____ ☐ Other: _____

Grade level(s) observed (check all that apply):

☐ K ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12

Subject:	**Student Grouping**:	Type of Group	Number of students in group
☐ Language Arts		☐ Individual	_____
☐ Mathematics		☐ Small	_____
☐ Science		☐ Large	_____

For all SES Sessions:	Yes	No	N/A
Appropriate tutor : student ratio is maintained as indicated in the provider's state-approved application (not to exceed 1:5 for small group and 1:10 for large group) ***Approved application group size***: _____	☐	☐	
Grade levels of students are consistent with the provider's application ***Approved Application grades to be served***: _____	☐	☐	
A procedure is in place to track student attendance (sign-in sheet, etc.)	☐	☐	
Session started/ended on time	☐	☐	
Tutor has each student's SLP and lesson plan in order to meet the instructional needs of each student served	☐	☐	
In the case of students with disabilities, provider's instruction is specifically driven by an SLP that is consistent with the student's IEP	☐	☐	☐
In the case of students covered under Section 504, provider's instruction is specifically driven by an SLP that is consistent with the student's 504 plan	☐	☐	☐
Students are engaged in meaningful tasks that are consistent with the SLP	☐	☐	
The time spent on tasks is appropriate	☐	☐	
Instruction and instructional materials are clearly linked to the SLP	☐	☐	
Instruction is secular, neutral, and non ideological	☐	☐	
Tutoring is engaging, motivating and consistent with good instructional practice (clear and focused with scaffolding as needed)	☐	☐	
Sufficient materials and supplies are available to meet the needs of the students	☐	☐	
Tutor gives individual help and adapts to the individual needs of the students	☐	☐	
Tutor gives immediate, appropriate feedback during the tutoring and uses positive reinforcement to support student learning/success	☐	☐	
Student behavior does not interfere with instruction and tutor uses positive techniques to guide student behavior	☐	☐	
Students are informed about their progress	☐	☐	
Time for snacks, breaks or incentives does not use up tutoring minutes	☐	☐	☐
Appropriate measures were taken for accidents or incidents that occurred	☐	☐	☐

For SES provided onsite, at provider facility or public locations	Yes	No	N/A
Tutor is wearing proper identification (If no, cease session immediately and alert the district office)	☐	☐	
A procedure is in place to ensure that students arrive safely and are released to the appropriate designated person	☐	☐	
Students are grouped appropriately for instruction	☐	☐	
Students are being attended to equally by the tutor and the attention of the tutor is focused on the students at all times	☐	☐	
Students are under adult supervision at all times	☐	☐	
Tutor has emergency contact information readily available for every student and a cell phone present for emergencies	☐	☐	
The instructional site is: ➢ Free of hazards ➢ Clean ➢ Organized ➢ Well lit ➢ Temperature controlled ➢ Has exit signs posted ➢ Conducive to learning (distractions from other groups/students are minimized) ➢ Consistent with provider's application	☐	☐	

Provider's compliance: _____ out of _____ = _____ %

Comments: _____

_____

_____

_____

Provider's Overall Rating: ☐ Meets standards (80% compliance or greater)

☐ Does not meet standards (less than 80% compliance)

Corrective Action Required: ☐ Yes ☐ No

Monitor's Signature: _____