

This section includes NCLB requirements on criteria for identifying supplemental services providers, maintaining a list of approved providers, monitoring supplemental services providers and assuring that districts are arranging for the provision of supplemental services.

The ECS database reflects verification of enacted state policy, whether statute, rule, regulation or formal directive. The database does not include planned and implemented programs approved by the U.S. Department of Education as required by No Child Left Behind, but that are not yet reflected in final state policy. Information in the database and determinations made in this report are those of ECS alone. They do not reflect judgments upon or recommendations to individual states, nor do they imply ECS certification of individual state activity. Likewise, the information and determinations do not imply certification by or approval of the U.S. Department of Education.

Criteria for Supplemental Services

States have established criteria to identify effective supplemental service providers by the beginning of the 2002-03 school year.

How States Are Doing

	March 2003	March 2004
Y	(43/84%)	(48/94%)
P	(1/2%)	(2/4%)
N	(7/14%)	(1/2%)
U	(0/0%)	(0/0%)

In March 2004, 48 states appeared to be on track to meet the Criteria for Supplemental Services requirement, compared with 43 in March 2003.

- Y Appears to be on track
- P Appears to be partially on track
- N Does not appear to be on track
- U Unclear or data not available

List of Approved Supplemental Services Providers

States maintain a list of approved providers, which is supplied to districts by the beginning of the 2002-03 school year.

How States Are Doing

	March 2003	March 2004
Y	(31/61%)	(45/88%)
P	(3/6%)	(3/6%)
N	(17/33%)	(3/6%)
U	(0/0%)	(0/0%)

In March 2004, 45 states appeared to be on track to meet the List of Approved Supplemental Services Providers requirement, compared with 31 in March 2003.

- Y Appears to be on track
- P Appears to be partially on track
- N Does not appear to be on track
- U Unclear or data not available

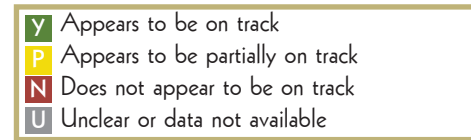
Monitoring Supplemental Services Providers

States have developed standards for monitoring the quality of supplemental service providers.

How States Are Doing



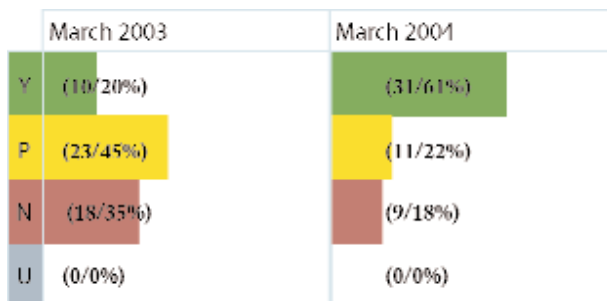
In March 2004, 36 states appeared to be on track to meet the Monitoring of Supplemental Services requirement, compared with 28 in March 2003.



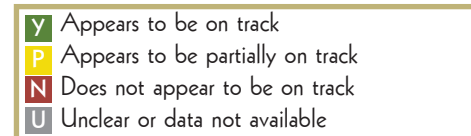
Implementation of Supplemental Services Providers

States ensure eligible school districts are arranging for provision of supplemental services by a provider selected by parents.

How States Are Doing



In March 2004, 31 states appeared to be on track to meet the Implementation of Supplemental Services requirement, compared with 10 in March 2003.



What States Are Doing

Most of the activity involving the supplemental services provisions of NCLB has taken place at the state department level, rather than through legislatures or state boards. Nearly all states have included NCLB language in their supplemental-service requests for proposals (RFPs) and their standards for selection of providers. Consequently, most of the states have very similar approaches.

Kentucky allows school districts to become approved supplemental education service providers, in addition to private companies or nonprofit organizations. Thirteen districts with schools currently identified for improvement have become supplemental service providers and are on the state approved list – primarily because there were few or no providers willing to offer services to students in their districts. Most of these districts are in rural or remote areas.

Pennsylvania has established a \$25 million-a-year program to help close the achievement gap in struggling school districts by funding evidence-based tutoring. Another state program, Classroom Plus, provides grants so families can enroll below-proficient students in the tutoring program of their choice.

A few states took the policy route in meeting this NCLB requirement. For example, the **Arkansas** legislature in 2004 passed S.B. 33, Section 6, which requires that students attending schools receiving an annual performance category Level 1 for two consecutive years be offered supplemental educational services.

<http://www.arkleg.state.ar.us/ftpoot/bills/2003s2/public/SB33.pdf>.

New Mexico has a similar policy, enacted as part of H.B. 212 in 2003.

Issues and Challenges

Availability of providers, parent notification, and monitoring and evaluation. According to an August 2003 survey by the Council of Chief State School Officers, states faced a variety of challenges in providing supplemental services in the 2002-03 school year, chiefly the difficulty of finding qualified providers, particularly in big-city school systems and in rural or remote school districts.

http://www.ccsso.org/Whats_New/Newsletters/Chiefline/3303.cfm

A recent analysis by Siobhan Gorman for the American Enterprise Institute and the Thomas B. Fordham Institute found that five major provider types are emerging: large for-profit corporations, smaller for-profit firms, school districts, non-profit community-based organizations and online companies – with large for-profit companies and school districts the most common. Gorman also found wide variations in how districts notify parents of their right to supplemental services for their children, and how clearly the options available to them are presented.

http://www.aei.org/events/eventID.684,filter.all/event_detail.asp or

http://www.aei.org/docLib/20040120_Gorman.pdf.

Few states have addressed the monitoring of supplemental services providers. Are students provided with effective services that help improve their school performance? Are states able to adequately evaluate all providers? Will providers be removed from the state-approved list if they fail to offer high-quality services? According to Harvard University's Civil Rights Project, demand for services in the first year was low, with fewer than 16% of eligible students requesting and receiving supplemental services. In most districts in the project's study, the percentage of students was less than 5%.

http://www.civilrightsproject.harvard.edu/research/esea/call_nclb.php

Supplemental Services Resources

Implementation of Supplemental Service Providers

Recent State Policies/Activities: No Child Left Behind – Supplemental Services

Contains a collection of legislative summaries from the ECS state policy database. These summaries are collected from StateNet, Westlaw, state Web sites and state newsletters. (Education Commission of the States, 2004)

<http://www.ecs.org/ecs/ecscat.nsf/WebTopicView?OpenView&Count=300&RestrictToCategory=No+Child+Left+Behind--Supplemental+Services>

Supplemental Educational Services: Non-Regulatory Guidance

Provides guidance on supplemental educational services designed to increase the academic achievement of students in low-performing schools. Services may include academic assistance such as tutoring, remediation and other education interventions, provided that such approaches are consistent with the content and instruction used by the local education agency and are aligned with the state's academic content standards. (U.S. Department of Education, August 2003)

<http://www.ed.gov/policy/elsec/guid/suppsvcsguid.doc>