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December 13, 2010

MEMORANDUM

TO: Legislative Education Study Committee

FR: David Harrell

RE: STAFF REPORT: SUPPLEMENTAL EDUCATIONAL SERVICES

Introduction

The federal *No Child Left Behind Act of 2001* (NCLB) requires each Title I school that has failed to make adequate yearly progress (AYP) for three consecutive years use a portion of its Title I funds to provide supplemental educational services (SES) to students from low-income families attending that school.¹ Federal guidance defines supplemental educational services as academic instruction provided in addition to instruction during the school day, "such as tutoring, remediation and other supplemental academic enrichment services that are consistent with the content and instruction used by the local educational agency (LEA) and are aligned with the State's academic content and achievement standards." These services "must be high quality, research-based, and specifically designed to increase student academic achievement."

NCLB allows these services to be offered through public- or private-sector providers approved by the state, such as other public schools (including charter schools), local school districts, educational service agencies, and faith-based organizations. The law also requires that parents

¹ As the USDE explains, Title I schools are schools that operate programs funded under Title I of the *Elementary and Secondary Education Act of 1965*, commonly known as NCLB. Title I, Part A, includes SES as one of two parental choice options; the other is the option to transfer a child to a higher-performing school, which is effective when a school has failed to make AYP for two consecutive years.

be allowed to choose the provider from the state-approved list and that the state monitor and evaluate the performance of the SES providers.

In New Mexico, according to information from PED, during school year 2010-2011 approximately 450 schools in 61 districts are providing SES to their students through providers chosen by the parents from a list of 66 providers approved by PED.

Despite this level of activity, both here and in other states, the future of the SES program may be in doubt. In August 2010, the LESC heard testimony by the US Department of Education (USDE) indicating that SES is unlikely to remain in the *Elementary and Secondary Education Act (ESEA)* when it is finally reauthorized. That prospect notwithstanding, however, SES is still a requirement in federal and state law, as the Public Education Department (PED) emphasized during a workshop for SES providers and school districts in September 2010; and the USDE still periodically posts requests for SES services by various states. In addition, at least one national advocacy group – Tutor Our Children, which is a coalition of the Education Industries Association and SES providers – is lobbying Congress to retain the program. Finally, SES became an issue during the 2010 session, when the Legislature considered CS/HB 142, which would have added requirements related to the curriculum used by SES providers, hourly fees charged by the providers, use of Title I funds, and student performance data.

Under these conditions, then, a review of some of the issues that have arisen with the implementation of SES may be in order. For this presentation, officials from Albuquerque Public Schools and from PED will discuss some of the issues themselves; and this LESC staff report will provide a context for the issues by briefly reviewing four aspects of the SES program:

- Federal and State Provisions;
- SES as Business;
- SES and Student Academic Achievement; and
- Limitations on State and Local Controls.

The report concludes with a brief background section that summarizes previous presentations to the LESC on SES.

Federal and State Provisions

To be included on the state-approved list, supplemental services providers must meet four criteria prescribed by federal guidance:

- a demonstrated record of effectiveness in increasing the academic achievement of students in subjects relevant to meeting the state's academic content and student academic achievement standards;

- capability of providing instructional services that meet certain criteria;
- financial soundness; and
- capability of providing services consistent with state and federal laws as well as local health, safety, and civil rights laws.

In addition, in approving a provider the state must consider at least these three factors:

- information from the provider showing whether the provider has been removed from any state’s approved provider list;
- parental recommendations or results from any surveys of parents regarding the success of the provider’s instructional program in increasing student achievement; and
- evaluation results, if any, showing that the provider’s instructional program has improved student achievement.

Finally, in addition to the federal requirements, state law as enacted in 2003 and amended in 2006 further requires PED to adopt rules that:

- govern the priority for students who are provided with SES;
- adopt a sliding-fee schedule based on the educational level of the tutors;² and
- require providers to use a pre- and post-assessment instrument approved by the department “to measure the gains that students achieve through supplemental services.”

SES as Business

As discussed more fully under “Background,” below, the LESC has heard presentations on SES during three previous interims: 2003, 2004, and 2005. One point that emerged, especially during the 2005 presentation, was the deliberate entrepreneurial nature of the SES program. Staff testimony noted that, in their initial form USDE regulations intentionally offered little oversight in order to provide “as little regulation as possible so the market can be as vibrant as possible.” On that point, one author called SES “the federal government’s largest free-market experiment in education”; and another called it “one of the hottest money-making propositions in public education.”

² As required by LESC-endorsed legislation enacted in 2006, PED adopted a sliding-fee schedule that provides as follows: the full hourly rate for a tutor with a valid teaching license or four-year degree or greater; 85 percent of the hourly rate for a tutor with less than a four-year degree but more than an associate of arts degree or its equivalent; and 75 percent of the hourly rate for a tutor with less than associate of arts degree but more than a high school diploma.

Little seems to have changed. A recent story in *Education USA* cites market research showing that, as an industry, tutoring has been growing at the rate of 15 percent per year, to more than \$4.0 billion. As an official with the Houston Independent School District has observed, “This is big business. There are people who have created companies to do this who haven’t in the past done educational things. They’re doing this because it’s an easy way to make money.” Finally, as if to emphasize this aspect of the program, the most recent USDE guidelines often refer to the “SES marketplace.”

The growth of tutoring as an industry nationwide is also reflected in the increasing number of providers approved to operate in New Mexico. During the first five years of the program, fewer than 30 providers had received state approval during any given year. According to information from PED, that number increased to 32 in school year 2008-2009; to 46 in school year 2009-2010; and, as noted above, to 66 in school year 2010-2011. PED has indicated that most of the approved providers in New Mexico are private for-profit companies although some are nonprofit organizations such as public school districts or professional associations (see Attachment 1).

SES and Student Academic Achievement

Perhaps the most fundamental question asked of SES is whether the program contributes to academic gains by the students who receive the services. As with other education issues, various studies have produced various conclusions although in this case there appears to be some common ground. A thorough review of the research is beyond the scope of this report, but a brief summary of some of the findings may be helpful as the committee considers the issues to be raised in the presentation. In general, studies indicate that the effect of SES on student academic achievement is limited at best.

The National Picture

In 2007, as part of the national longitudinal study of NCLB, the USDE issued a report on student achievement using data from school year 2004-2005. This report found that participation in SES had “a statistically significant, positive effect on students’ achievement in reading and math,” with larger gains by students who participated for multiple years.

More recently, however, in 2010, the Center for Educational Partnerships at Old Dominion University (Virginia) analyzed state and local studies of the effectiveness of SES since 2003 and found “that the SES policy as currently designed and implemented is not meeting its primary goal of improving student achievement.” Among other points, this study also found:

- that the single provider characteristic most closely associated with student gains in math was hiring tutors with four-year college degrees; and
- that district providers produced larger effects on student growth than commercial providers.

The New Mexico Picture

Although the format and the authors have changed over the years, PED has conducted annual evaluations of the SES program in New Mexico. Earlier evaluations applied extensive statistical analyses, but the most recent one consists merely of snapshots of each provider's performance, similar to the AYP snapshots of public schools. While these evaluations have used the state's standards-based assessment as the primary tool, they have noted inconsistencies in these data as well as the limitations created by the multiplicity of other assessments used by districts and providers. The 2007-2008 evaluation in New Mexico suggests some of the challenges to a reliable evaluation of providers:

Tutoring service companies operated using greatly varied methods in New Mexico. Tutoring is a service that occurred before and after school, in homes and at schools, used entirely computer-based curriculum, was set in a traditional classroom, took place in small groups or one-on-one. Tutors varied widely in education, skill, and experience. Given such wide variety in tutoring services, it is difficult to quantify the effectiveness such tutoring services might have on [student] achievement.

These obstacles notwithstanding, however, the findings of the evaluations bear noting.

- The report of school year 2006-2007 found no statistically significant gains in reading proficiency but “lessened” reductions in math proficiency for the SES participants. One observation is particularly notable because it points to a discrepancy between the findings and the perception: “The most disconcerting information was that providers’ perceived that 90% of students were making academic progress, while statistical analysis of NMSBA scores indicated no academic progress for SES participating students, as a group, in either reading or math.”
 - This study also found that, as a group, the for-profit entities provided fewer hours per session, a higher tutor/student ratio, and lower tutor qualifications than did the not-for-profit and the community-based providers.
 - In addition, this report made 16 recommendations to improve the effectiveness of the SES program, recommendations addressing such matters as hours of service, tutor qualifications, student attrition, provider profit status, and computer-assisted instruction (see Attachment 2).
- Like the report from the year before, the report of school year 2007-2008 found no statistically significant gains in either math or reading proficiency among SES students when matched with non-SES students with similar characteristics. This report also identified three problem areas in particular that had been cited by both districts and providers: completion rates, increased communication between tutors and teachers, and improved achievement. Furthermore, this report cites studies in several other jurisdictions – among them Chicago, Los Angeles, and Minneapolis – that found modest but generally insignificant student outcomes from SES.

Finally, in November 2008, Albuquerque Public Schools (APS) issued a report of an evaluation of the SES providers offering services to students in that district during school year 2006-2007. The presenter from APS will provide more details about this evaluation, but the major findings should be listed here:

- despite a substantial budget and infrastructure, the SES program had a very limited impact on student achievement;
- there was little evidence of differences in student outcomes among the providers;
- according to the school-level analysis, SES students performed at approximately the same levels as non-SES students, with “a very modest variability in student achievement across schools, suggesting that the SES tutoring had little or no effect over and above the effect of the school instructional programs”; and
- at 12.1 percent, the participation rate for APS students was below the national rate.³

Limitations on State and Local Controls

Because SES is a federal program prescribed by federal law and guidance, there are limits upon state and local officials’ ability to address issues and concerns.⁴ Perhaps four examples will suffice to illustrate the point.

- The presenter from PED will explain in more detail the process for approving and monitoring SES vendors, but one feature bears mentioning here. Federal guidance does require PED to evaluate the providers and to remove from the approved list any that fail to increase student academic achievement for two years in a row. As one researcher noted, however, there is no federal funding or other support for such an evaluation; and PED’s Title I Bureau reports that the department has never removed an SES provider from the approved list although a number of them have withdrawn of their own accord.⁵ For one thing, the bureau reports that it would be unable to isolate the effects of tutoring from the other factors affecting student achievement so that any attempt to remove a provider from the approved list would likely result in litigation.
- Both federal guidance and PED rule prohibit SES vendors from offering incentives to recruit students or their parents. However, it is permissible for a vendor to give a computer to a student who completes the program as long as the “primary purpose” of the computer is instructional. Federal guidance also says that the state should monitor SES providers to ensure that they are not using computers as unallowable incentives.

³ According to a report from USDE issued in 2009, approximately 17 percent of the eligible student population nationwide participated in SES during school year 2006-2007.

⁴ On this point, APS has indicated that the New Mexico Congressional delegation must be involved in resolving most issues.

⁵ New Mexico is not alone in this regard. According to a recent story in the *Houston Chronicle*, Texas has never removed a provider from its list despite complaints from school districts and evaluations showing no significant impact on student achievement.

In practice, it would seem that the line between these two functions – recruitment and instruction – may be difficult to discern.

- Federal guidance allows PED to establish certain program design criteria and to establish a range of acceptable rates; however, the guidance cautions the state to ensure that such criteria “do not result in the inability of a wide variety of providers, including non-profits, for-profits, LEAs, and faith-based community organizations, from being able to participate as eligible providers, thereby limiting parental choice.” In addition, districts may not impose any program design criteria or any additional approval criteria. The district may, however, impose certain administrative requirements – like background checks – that it requires of other contractors. And districts are also advised against interfering with SES providers’ efforts to market their services.
- Finally, one of the concerns raised by APS is that parents are faced with so many choices of providers (49 offering services to students in APS) that they often find it difficult to make an informed decision. Although federal guidance does not seem explicitly to prohibit capping the number of approved providers, the overall tone and intent of the legislation and the guidelines are to encourage and expand parental choice, not restrict it. For example, in establishing a range of rates, the state must be careful not to make the range so high or so low that it “would then limit parental choice”; and, in approving providers, the state should “promote participation by the maximum number of providers to ensure, to the extent practicable, that parents have as many choices as possible.”

Background

In September 2003, the LESC heard a presentation on House Joint Memorial 67 (2003), which requested the State Department of Education and local boards of education to report to the Legislative Education Study Committee (LESC) on their progress in providing supplemental educational services to eligible students. The presentation focused on the requirements of the program and noted that 95 schools in 25 districts were required to offer SES to eligible children, as offered by 12 PED-approved providers, only four of which offered services statewide.

The presentation to the LESC in June 2004 noted that 22 districts had schools that were required to provide SES, as offered by 23 PED-approved vendors. This presentation also cited an evaluation of the vendors conducted by the Center for the Education and Study of Diverse Populations. According to this evaluation, parents and students were generally satisfied with the services; however, the evaluation also revealed the need for better training for vendors, especially in working with culturally and linguistically diverse students; more timely and consistent record-keeping; and better, more frequent communication, especially with the host school.

During the 2005 interim, the committee heard testimony about two SES issues that had arisen since the 2004 interim: (1) the prospect that, under state law, non-Title I schools must offer SES and pay for them with funds other than Title I; and (2) the practice of some SES providers of offering incentives or rewards to students or parents to solicit their business.

- Addressing the first issue, PED testified that districts may use funds from state, local, or private sources, as well as funds from certain other federal programs, to provide SES for non-Title I students. At the time of the testimony, only two non-Title I schools in New Mexico were required to offer SES. Once the new school rankings were issued in August 2005, however, the number increased to six. Albuquerque Public Schools testified that the district did not have funds for SES for non-Title I students.⁶
- Regarding the second issue – SES providers’ offering incentives to parents and/or students as enticements for selecting those vendors’ services – the presentation noted questions about business ethics and the mixing of public education and private enterprise. The PED testimony indicated that only two of the 22 state-approved SES providers in New Mexico had offered incentives, and those were offered not as recruitment tools but as rewards for student attendance or achievement.
 - Additional testimony on this issue described the recently released federal guidelines and the new PED rule, both of which, among other provisions, allow nominal rewards for attendance, continued participation, or achievement once a child is enrolled in a program but prohibit gifts or financial incentives for enrolling in a given program. The PED rule also established a timeline of SES activities, from defining the enrollment period to specifying deadlines for provision of services.
 - Finally, as they discussed these aspects of SES, committee members raised a related issue: the qualifications of SES providers. Of particular concern to the committee was the fact that the tutors providing SES were working with some of the state’s most fragile students yet they were not required to be licensed teachers or to possess any other particular qualifications.

Presenters

For this presentation:

- Ms. Linda Sink, Chief Academic Officer, APS, will discuss issues with SES from the district perspective; and
- Mr. Sam Ornelas, Director, Title I Bureau, PED, will discuss issues with SES from the state perspective.

⁶ LESC-endorsed legislation enacted in 2006 resolved this issue by amending statute to define student eligibility for SES in the same manner as NCLB.

New Approved SES Providers 2010-2011

ATTACHMENT 1

<i>COMPANY</i>	<i>Address</i>	<i>CONTACT NAME</i>	<i>EMAIL ADDRESS</i>	<i>PHONE NUMBER</i>	<i>FAX</i>
#1 in Learning	10600 Sepulveda Blvd. Ste 107 Mission Hills, CA 91345	Brandon Edwards	bedwards@tree-of-knowledge.net	866-698-6537	888-698-6537
# 1 + 1 Academic Assistance by 1st Choice Tutoring	600 Central SE Suite # 221 Albuquerque NM, 87102	Diana Orozco & Liset Solis	firstchoicetutoring@gmail.com	505-480-8190 or 505-261-3168	505-792-6056
(+)Writing & Reading Specialists	2221 Vuelta San Marcos Santa Fe, NM 87505	Carol Quiroga,	carol@incitetowrite.com	505-216-0750	505-216-0750
1 Room School House	PO Box 1055 Las Cruces, NM 88004	Alice Chavez-Villa	schoolhouse62@hotmail.com	575-640-5389	575-522-4548
1 to 1 Tutoring	12636 NW Naomi Lane Portland, OR 97229	Julie Wright	info@1to1tutoring.org	503-956-5611	503-536-6593
100 Plus Tutoring Services, LLC.	723 Mountain Road NW Albuquerque, NM 87102	Mae Araujo	nm100plus@yahoo.com	505-508-5510	505-508-5509
100 Scholars	P.O. Box 163005 Austin, TX 78716	Michael Flowers	ses.nm@100scholars.com	866-355-221	512-687-3404
1st Advantage Tutoring Lawrence & Associates, LLC	6309 Abiquiu PL NE Albuquerque, NM 87111/ PO Box 10483, Albuquerque, NM 87184	Elizabeth Lawrence	liz.lawrence@advtutor.com	505-828-1962	505-828-4686
1st Place Tutoring	233 High St. NE Albuquerque NM, 87102	Anne Apodaca	nmcommunityfaithlinks@gmail.com	505-242-3353	505-242-2805
4.0 Home Tutors, Inc.	660 Preston Forest Center #532 Dallas, TX 75230	Alex Caine	dfwhometutors@aol.com	972-385-9449	972-788-0793
A 1 New Mexico Teachers, LLC	5175 Creek Trail Las Cruces, NM 88012	Erica Hadley	nmteachers@hotmail.com	505-717-8441	575-373-9566
A Road 2 Learning, LLC	459 N. Gilbert Rd., Ste. A148 Gilbert, AZ 85234	Tim Sturm	tsturm@aroad2learning.com	866-279-2233 or 480-545-2470	480-558-5382
A to Z In Home-Tutoring, LLC	215 Centerview Dr. Ste. 300 Brentwood, TN 37027	Krista Aguirre	krista.aguirre@atoztutoring.com	866-505-2869 x145	866-838-0437
A+ In Home Tutoring, Inc.	P.O. Box 7891 Wesley Chaple, FL 33545	Tony Martinez	ses@aplusinhometutoring.org	505-990-1347	813-315-7272
A+ Tutoring Services, Inc.	3188 Southern Blvd.Suite L Rio Rancho, NM 87124	Loretta Woo	lwoo@cblpc.com	505-891-8888	505-891-2261
ABC Phonetic Reading School, Inc.	3127 North 17th Ave. Phoenix, AZ 85105	John Cahal	cahal@letread.com	800-538-7323 or 505-294-5952	602-277-4131
Academia de Ensenanza	3365 Cochiti St NE Rio Rancho, NM 87144	Damon King	academiadeensenanza@gmail.com	661-510-8025	505-340-3527
Academic Team	118 Parshley Street Live Oak, FL 32064	Andrew Lang	andrew.lang@duke.edu	386-867-0347	386-755-9006
Academic Tutoring Service	2003 Southern Blvd SE Suite 102-211 Rio Rancho, NM 87124	Daniel York	academictutoringservice@gmail.com	505-796-6589	323-526-4632
All Access Tutoring	2375 E. Camel Back Road # 500 Phoenix, AZ 85016	Adam Luwaga	adam@allaccessk12tutoring.com	800-341-2656	866-514-8309
Andele Tutors Inc.	620 Arizona Street SE Albuquerque, NM 87108	Lorna Samraj	andeletutors@gmail.com	505-463-6115	
Applied Scholastics International	11755 Riverview Drive St. Louis, MO 63138	Mary Cockburn	m.cockburn@appliedscholastics.org	505-281-5377	505-212-0208
ATF Teacher Tutoring Services	530 Jefferson St. NE Albuquerque, NM 87108	Jo-Ann Lynch	atftutoring@comcast.net	505-269-9053	505-266-1967
ATS Project Success	20674 Hall Rd. Clinton Township, MI 48038	Renee Weaver-Wright	info@ATSPortSuccessWorks.com	586-465-9474 or 800-297-2119	586-465-9481
Babbage Net School	5940 W. Touhy Suite 200 Niles, IL 60714	Scheila Kassam	ses@babbagenetschool.com	847-559-7464	866-782-6769

SOURCE: Public Education Department

New Approved SES Providers 2010-2011

ATTACHMENT 1

Belen Educational Services and Tutoring	110 El Mundo Rd. Belen, NM 87002	Donna M. Flock	donna@comcast.net	(505) 450-3915	(505) 861-3915
Brilliance Academy	5940 W. Touhy Suite 200 Niles, IL 60714	Scheila Kassam	scheilak@brillianceacademy.net	847-559-7464	866-782-6769
Catapult Learning, LLC	470 North 2nd St. 2nd Floor Philadelphia, PA 19123	Joan Aschmann	joan.aschmann@catapultlearning.com	401-330-7303	401-633-6267
Central Elementary School	405 S. 6th Street Artesia, NM 88210	Tammy Davis	tdavis@bulldogs.org	575-746-4811	575-746-8756
Chrysalis	306 W Orchard Lane Carlsbad, NM 88220	Judith Moore	jmoore@kaiju.org	575 887 5282	
Citizen Schools-New Mexico	1420 Carlisle Blvd. NE, Suite 101, Albuquerque, NM 87110	Sue Goodwin	suegoodwin@citizenschools.org	505-265-4332 or 505-920-8241	505-265-4355
Club Z! In Home Tutoring Services, Inc.	15310 Amberly Dr. Ste 110 Tampa, FL 33647	Cari E. Diaz	ses@clubztutoring.com	888-434-2580	813-549-0185
Club Z! New Mexico, LLC	949 Montoya NW Albuquerque, NM 87104	Lanny Tinning	ltinning@nmtutors.com	505-842-1515	505-247-1293
Community Academic Initiative Resource Center (CAIR)	724 Omaha NE Albuquerque, NM 87123	Lovie McGee	lovejil@aol.com	505-256-8306	505-256-8305
CompatibleLand, Inc.	3188 Southern Blvd. Suite K, Rio Rancho, NM 87124	Henry Ng	henry.ng@cblpc.com	505-892-2888	505-891-2261
Dexter Consolidated Schools	TBA				
Educate Online Learning	1001 Fleet St. Baltimore, MD 21202	Angela Belt	state@educate-online.com	410-843-2672	410-843-2629
Education Advocates Incorporated	PO Box 555 Arroyo Seco, NM 87514	Dr. Diana Boyd	educationadvocates@gmail.com	575-770-3999	575-734-6813
Eduwizards, Inc.	48 Huntting Drive Dumont, NJ 07628	Shailendra Chainani	ses@eduwizards.com	201-706-7872	575-776-0010 (call first)
FELC Tutors	14160 Palmetto Frontage Rd. Suite 11 Miami Lakes, FL 33016	Victoria Godman	mferre@felctutors.com	888-737-3352	
Gallup McKinley County School District	PO Box 1318 Gallup, NM 87305	JoBe Thilgen	jthilgen@gmcs.k12.nm.us	505-721-1004	888-203-2159
Grade Cracker LLC	16821 NE 39th Ct Apt # E3015 Redmond, WA 98052	Raashi Somani	gradecracker@gmail.com	425-738-0015	505-721-1133
Grade Plus Tutors	20234 Cantara Street, Suite 245 Winnetka, CA 91306	Pritika Janweja	gradeplustutors@gmail.com	213-290-2199	425-696-0254
Gym Magic, Inc.	2341 Entrada del Sol Las Cruces, NM 88001	Nancy L. Bates	nancy@gymmagic.com	575-523-1616	818-717-7458
Imagine Learning, Inc.	191 River Park Drive Provo, UT 84604	Frank Garcia	frank.garcia@imaginelearning.com	970-430-0785	800-466-1831
Innovadia, LLC	20920 Community Street Unit 8 Canoga Park, CA 91304	Amit Janweja	p.onlineses@gmail.com	818-301-5677	801-377-5072
Learn It Systems	2201 Old Court Road Baltimore, MD 21208	Raquel Whiting	raquel.whiting@learn-itsystems.com	410-369-0000 ext.107	818-717-7458
Learning Solutions	5406 W 11000 N #103-315 Highland, UT 84003	Elsa Borell	Tutoring@LS4me.com	800-708-5590	
New Mexico Lions Crane Reading Foundation	2053 Southern Star Loop Las Cruces, NM 88011	J. Eldon Steelman	esteelman@zianet.com	575-373-2912	800-918-4383
Northern New Mexico Network for Rural Education	University of New Mexico-West 2600 College Blvd. Rio Rancho, NM 87144	Dr. Carlos R. Pagán	crpagan@aol.com	505-925-8676	575-373-0562
Our Place Center of Self-Esteem, Inc.	1411 S. Rimpau #201 Corona, CA 92882	Duane Fjelstad	duane@ourplacetutoring.com	951-738-1214	505-925-8668
Power of Math/ Mathnasium	4301 Eubank NE Albuquerque NM 87111	Mike Midani	HMidani@aol.com	505-296-6284	951-738-1658
Project Life Impact	16263 DaVinci Drive Chino Hills, CA 91709	Gail Mathews	ghmathews@yahoo.com	951-415-9063	

SOURCE: Public Education Department

New Approved SES Providers 2010-2011

ATTACHMENT 1

Read and Succeed, LLC	701 Brazos St. Suite 500 Austin, TX 78701	Edrian Walker	ewalker@readandsucceedtoday.com	512-419-7983	909-597-4538
RGEC Inc.	PO Box 6344 Albuquerque, NM 87197 / 524 Montano NW Albuquerque, NM 87107	Michael D. Silva	msilva@rgec.org	505-873-6035	713-476-9496
Rio Rancho Public Schools	TBA				
Rosales Academy of Multi-Sensory Learning, L	2615 Ardis Las Cruces, NM 88011	Carla Davila-Rosales	steelrosales06@aol.com	575-644-2638	505-891-3028
Santa Fe Public Schools	1300 Camino Sierra Vista Santa Fe, NM 87505	Ellen Perez	eperez@sfps.info	505-467-2609	
Star Learning, LLC of New Mexico	14520 SW 148th Ave. Miami, FL 33196	Arthur P. Sandoval	ASandSDC@aol.com	305-389-8858	505-467-2596
Sylvan Learning Center - Albuquerque / HMJ Enterprises, Inc.	3509 River Rd. Austin, TX 78703	Susan Fairbairn	SylvanNM@aol.com	512-497-8440	305-232-2454
Sylvan Learning Center, Farmington	3030 East Main A-5 Farmington, NM 87402	Pruda Trujillo	sylvan@gobrainstorm.net	505-599-9390	512-474-5949
Sylvan Learning Center-Santa Fe/ SLC Educators NM, Inc.	16648 San Pedro, Ste. 101 San Antonio, TX 78232	O. Steven Jones	s.jones@sylvanslce.com	210-387-7766	505-599-9395
Taos Municipal Schools	TBA				
Tortuga Tutoring Company, Inc.	10357 East Roywood Way Tucson, AZ 85747	Dr. Richard Klecan	Dr.K1@cox.net	520-784-0948	575-758-5298
Tutorial Services	166 S, Industrial Dr. Saline, MI 48176	Kristie Schaufele	kschaufele@tutorialservices.org	734-470-6387	
Youth Development, Inc (YDI)	518 1st St. NW Albuquerque, NM 87102	Amelia Gandara	agandara@ydinm.org	505-212-7427 or 505-212-7434	734-470-6402
					505-242-7365

SOURCE: Public Education Department

Supplemental Educational Services Evaluation
2006-2007
New Mexico Public Education Department

Recommendations

Sixteen Tips for Improved Program Effectiveness

The sixteen recommendations offered here are based on student progress analysis, as well as district and provider survey data. Since any recommendation can only become reality through the collaborative effort of NMPED, districts and providers working together, recommendations are made for all program contributors to consider.

The key findings in this report related to provider models that offer the most extensive service delivery time with a highly qualified tutor suggest that NMPED may want to encourage or recruit providers whose programs reflect such service delivery models, or put in place steps to move existing providers towards adoption and/or greater reliance upon these methods.

Since analysis showed a general lack of progress on the NMSBA for SES participating students, it is important for SES providers [to] review their procedures, hiring practices and programs. Some information was gleaned from the study regarding elements of provider models that did contribute to student progress and each provider has an obligation to consider these factors in future program design. This is particularly critical in the area of mathematics, since SES student math scores showed negative progress. Math tutors need both a strong understanding of mathematics and best practices knowledge that would allow them to build number sense and fill in the gaps that SES students have developed in math. SES providers may want to develop a training program for math tutors to address these needs.

Specific recommendations emerging from this evaluation are these:

1. Hours of Service: One of the key findings of the statistical analysis was that the number of hours of service was statistically significant in gains in math scores. This is critical information for parents to have in selecting a program since the price per hour of each provider determines the number of hours of service available to a student. This cost varies from \$30/hour to \$70/hour. A less costly provider means more hours of service available to a participating student and is more likely to result in academic gains. For-profit status was significantly correlated with all the varieties of delivery. In other words, the for-profit agencies have lower hours per session, higher tutor student ratio, and lower tutor qualifications, as compared with the not-for-profit and the community based providers.

2. Tutor Qualifications: Analysis also suggested that the least qualified tutors had no positive impact on SES students' academic gains in math. Providers should be encouraged to hire either degreed applicants or certified teachers only to provide SES services to students.

3. Data Collection: Many of the data collection difficulties have occurred in districts with new Title I staff. NMPED may find it worthwhile to either establish a SES data collection instruction document that could be sent to new district Title I staff or provide training sessions on data collection for SES services. Such professional development could cover legal and regulatory requirements, contractual forms and flexibility, data collection procedures and Excel template use, downloading to STARS and recruitment actions.

4. Start Date for Services: This one variable continues to be key to student success. It impacts the amount of time that services are available to a student. If a student starts services later in the year, for example in January, it is difficult to have enough time for the student to receive the full number of sessions available under the provider's program. The student's start date was noted as a determining factor in program success in comments from districts on the survey and is certainly a determining factor in intensity of services shown to be critical through analysis of service delivery models. If students do not get assistance early in the year, they tend to be so far behind academically that the number of hours of service may not impact their academic deficiencies.

5. Lack of Services to Enrolled Students: Almost 10% of enrolled students obtained no assistance at all. Information from district surveys suggests that the major cause of this lack of service resulted from enrollees with a provider who had signed a contract with the district, but later withdraw services. It takes a great deal of time for this sequence of events to occur and then families are too frustrated to go through the enrollment process a second time. This information suggests two areas needing improvement. First, more timely responses to families who enroll in the program should be completed so that students do not drop out prior to starting services. This also suggests that providers should not commit to a district and then not follow through with services. Safeguards should be discussed by the SES Advisory Committee to prevent SES contractual agreements that do not result in service delivery.

6. Student Attrition: Reported data showed that about half of SES participants received less than 20 hours of service. Far too many students are starting the program, but not completing the full number of hours of services. One reason identified in the SES surveys was that services were started so late that some students did not have the option of program completion. This suggests the need for providers and districts to work more closely to get services started during the fall semester. Providers should have tutors available based on the previous year's SES enrollment. Another suggestion from a provider in the survey information was that districts could notify providers on

partial enrollment numbers at designated times during the enrolment [sic] period so that providers could make arrangements to accommodate those students immediately. At least one notification half way or two-thirds of the way through the enrollment period would be helpful. Quantitative data should be collected by NMPED to determine why students are not completing services so that the reasons, whether they are related to transportation, motivation, or lack of academic improvement, can be dealt with directly. The possibility that the program did not meet the needs of the student is of critical concern. Parents may not have had the necessary information to select a program that matched the academic needs of their child. Tutors may not have had the appropriate background to service students with special needs. No research has been completed at this point in time to determine the reason or reasons for low rates of completion. Such speculation would be resolved by tracking students who do not complete services. Since so many enrolled SES students did not complete services, such a study is warranted.

7. Provider Profit Status: Parents should also be aware of analysis results related to the profit status of providers. This one variable was significantly correlated with all service delivery variables. In other words, the for-profit agencies have lower hours per session, higher tutor student ratio, and lower tutor qualifications, as compared with the not-for-profit and the community based providers. It is probably not the for-profit status which is a determining factor, but rather the associated variables of service delivery (lower hours per session, higher tutor: student ratio and lower tutor qualifications), which have been shown to impact gains in math scores. This information should be made available to parents as they select programs for their child.

8. Contract Completion: Providers should be extremely diligent in negotiating contracts only in districts where services will actually be provided. In districts where providers signed a contract and then did not delivery [sic] services, the students who had enrolled with this provider often did not receive services through another provider due to family frustration and the time to re-enroll the student. A penalty or fine for broken contracts should be considered by the Advisory Committee.

9. Parent Access to Provider Information: Districts should ensure that parents have all the information and guidance they need to make sure they are able to select a program that best matches the needs of their child. A mismatch between student academic needs and a provider's program design may be impacting the tendency for student[s] to leave the program prior to completing SES services. Parents should have easy access to information on providers and their previous performance records. Pertinent information from this report should be forwarded to parents along with program enrollment information. If districts hold informational meetings, the variables that appear to impact performance as well as past performance details should be offered to parents to assist them in selecting a quality program for their child.

10. Provider Management Difficulties: Providers need to improve both communication and follow through with districts and with parents. Survey results noted dissatisfaction in these areas. Providers continue to either not complete or not submit in a timely manner progress reports, individualized Student Improvement Plans, and invoices. Surveys also indicate that there is a lack of monitoring of sessions by provider management and in some cases, inappropriate group sizes and age grouping. Another difficulty appears to be inadequate numbers of tutors. Providers need to plan based on the previous year's participation numbers and work closely with districts to get an idea of potential numbers before actual lists of students are sent to providers.

11. Student Improvement Plans: Survey results indicated continued difficulties with Student Improvement Plans. Although districts and providers are working collaboratively to develop a Student Improvement Plan for each student with input from parents, many of the plans are not individualized. The purpose of the plan is to inform tutors of the academic needs of SES students. If plans are not individualized, they cannot assist tutors. Access to district short cycle assessments and NMSBA scores would also help develop the Student Improvement Plan. Parents should at least be informed of the detailed goals set for their child, providing some opportunity for parent feedback. Parents should also be informed regarding pretest or initial diagnostic assessment data. Student progress information, including initial assessment data, should be shared with the tutor, parent, and the child's teacher to establish critical information regarding the child's academic challenges.

12. Communication Requirements: Survey results indicate that most parents are receiving progress reports and other communication to keep them abreast of student progress and needs; however, communication with the child's teacher remains a difficult issue. The SES Advisory Committee should discuss this issue and make recommendations for methods to improve communication between the provider and the child's teacher.

13. Skill Assistance: Although there have been guidelines to clarify that SES assistance should be skill oriented, based on results from [the] provider, state and district assessments, some programs continue to be formulated around homework assistance. Such programs need to broaden the scope of their program so that students receive assistance with skill deficiencies.

14. Transition: A mechanism for student transition is needed at the end of SES sessions, especially when students have received less than [sic] 25 hours of service. Information to assist with the transition out of SES services should be shared with parents and the current teacher in the content area of focus. The tutor should provide information on progress achieved, next steps for the student and academic aspects requiring continued assistance.

15. High School Student Participation: Only 4% of the students enrolled in SES services are high school students. A study should be conducted to determine the issues that are impacting the participation of eligible high school students.

16. Computer-Assisted Instruction: Surveys completed by providers indicated a need for all companies using computers laboratories to closely supervise their SES students and to ensure that students are working on the designated program and not using SES time to play computer games. Not only does this lack of supervision result in little progress for enrolled students, but it is disruptive to other providers who do closely supervise their students.

Supplemental Educational Services Evaluation
2006-2007
New Mexico Public Education Department

Adapted by the LESC, 12-08-10

SUPPLEMENTAL EDUCATIONAL SERVICES (SES)

Presented to:
Legislative Education Study Committee
Senator Cynthia Nava, Chair

December 15, 2010

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SUPPLEMENTAL EDUCATION SERVICES: FEDERAL REGULATIONS OVERVIEW

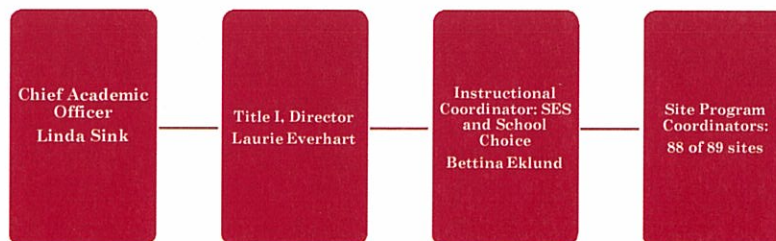
- Federal program in No Child Left Behind
- Title I
- Student eligibility
- Federal regulation establishes that most of the responsibility for oversight and evaluation of the program rests with the state education agency
- State education agency does have flexibility in determining parameters for SES program

SUPPLEMENTAL EDUCATION SERVICES: STATE AND DISTRICT IMPLEMENTATION

- Dollar amount assigned to student account
- Providers
 - Public Education Department - RFP
 - Acceptance by districts - contracts
- Parent Choice
- Services are provided to students at schools, community centers, the home and online
- Site program coordinators oversee the program at school locations

3

SES PROGRAM: APS MANAGEMENT & PERSONNEL



4

SES PROGRAM: APS EVALUATION

- APS Research, Development and Accountability (RDA) completed a study of SES providers in 2006-2007
- Scope of Study
 - 24 APS schools participated in the SES program SY 2006-2007
 - 11 elementary schools, 11 middle schools, and 2 high schools
 - 10 PED-approved providers provided tutoring SY 2006-2007
- The study focused on the following questions:
 - Did the students receiving SES after-school tutoring exhibit higher academic achievement compared to their peers in the same schools?
 - Did the SES providers differ in their impact on the achievement of the students they served?
- The study used two strategies to gauge the impact or the growth measured by test scores:
 - The SES students were compared to their non-SES peers on SBA score improvement between SBA 2006 and 2007
 - SES students' increment in scores on the District assessment A2L was tracked from Fall to Spring 2007 administration.

5

PROBLEMS APS EXPERIENCES: ACADEMIC ACHIEVEMENT

- Average Gains
- Proficiency Rates
- Little improvement in student achievement
- No differences in gains across providers

6

PROBLEMS APS EXPERIENCES: CURRICULUM AND INSTRUCTION

- No Provider and District Curriculum Alignment

- No Minimum Hours of Instruction

- No Provider Assessments

7

PROBLEMS APS EXPERIENCES: FINANCES

- Billing
 - No limits on hourly rates
 - No ability to transfer companies due to account exhaustion

- Conflict of Interest with Tutors

- Building Usage
 - Capacity
 - Nominal Fees

8

RECOMMENDATIONS FOR SOLUTIONS: UNITED STATES CONGRESS

- Legislators should work with the Congressional delegation during the Elementary and Secondary Education Act reauthorization to solve SES problems at a federal level.

9

RECOMMENDATIONS FOR SOLUTIONS: NEW MEXICO LEGISLATURE

- Establish minimum hours or a range of hours of instruction required
- Proof of professional development which aligns curriculum at SES provider's expense
- Professional development by PED to assure alignment with state standards

10

RECOMMENDATIONS FOR SOLUTIONS: PUBLIC EDUCATION DEPARTMENT AND REGULATIONS

- Support school districts to enforce current guidelines and contract language regulating SES programs
- Provide professional development to align SES program with state standards
- Increase standards for approval of SES providers
- Prohibit Conflict of Interest with Teachers
 - Prohibit teachers from tutoring their own students or at their school
 - Prohibit district personnel from being company coordinators

11

RECOMMENDATIONS FOR SOLUTIONS: PUBLIC SCHOOL DISTRICTS

- Work with PED to enforce current guidelines and contract language regulating SES providers
- Allow districts more flexibility to write contracts with more stringent requirements than regulation
- Enforce guidelines of teacher-vendor-parent collaboration
- Allow districts flexibility in creating enrollment forms
- Allow district to establish own conflict of interest policies that may be more stringent than regulation

12

ALBUQUERQUE PUBLIC SCHOOLS PICAASO GRANT

- APS Received the PICAASO grant on in 2008
- Original Purpose of PICAASO was to work with SES providers to improve collaboration for academic after-school outcomes
- PICAASO now focuses on curriculum development for after-school programs and ensuring that curriculum aligns with the district's curriculum
- Four SES providers were written in the original grant and those providers do receive services from the grant, including professional development
- There is no data available at this time to show if the four SES providers included in the grant are more effective than others

Legislative Education Study Committee
Title I Supplemental Educational Services (SES)

SES Providers in New Mexico

- New Mexico Providers in 2010-11
 - 34 NM based
 - 32 are out of state
 - 14 are online providers
 - Rates: approximately 80% in the \$50 to \$80 range and 90% in the \$40 to \$92 range.
- In 2010-11, 9 of 11 largest APS providers are local providers.
- For 2010-11, most providers were required to reapply. The application and scoring rubric were updated. A variety of provider models were approved to provide for parent choice.
- Number of providers in similar sized districts:
 - APS (NM) - 95,493 students with 49 providers
 - DeKalb County (GA) - 101,396 and 108 providers
 - Jefferson County (CO) - 86,154 and 63 providers
 - Austin Independent (TX) - 82,140 and 116 providers
 - Mesa (AZ) – 74,128 and 42 providers
 - Denver Public (CO) - 72,561 and 50 providers
- Business/Education Paradigms

SES Effectiveness and Provider Removal

- August 2010 Education Week
 - Study synthesizing over 400 provider effects in 17 states or large school systems, 140,846 students in math and 139,844 in reading.
 - SES as currently designed and implemented is not meeting its primary goal of improving student achievement on standardized test scores.
- Removal of Providers
 - 'fails for two consecutive years to contribute to increased proficiency relative to standards'
 - Surveys of surrounding states – TX, OK, CO, NE, NV, and HI have not removed providers.
 - Similarity in concept to current teacher effectiveness discussion, many variables that factor into individual student performance.
 - States are not provided additional funding for evaluation.
- Importance of Individual Student Plan – focus on smaller, achievable goals.
- Importance of local contract process and language.

SES Provider Model and Alignment with Local Curriculum

- USDE SES Non-Regulatory Guidance states that the requirement for a provider's instruction to be consistent with local curriculum does not mean their content and methods need to be identical but they must share a focus on the same standards.
- 2009-10 district provider monitoring reports showed:
 - Approximately 77% of district monitors (n=58) noted provider instruction is consistent with district curriculum and state standards.
 - 83% (n=111) said instruction was driven by individual student plans.
- Agreement on definition of curriculum – ex., course of study, program, or model.

SES Implementation in 2010-11

- Provider monitoring for 2010-11 again to include local assistance with targeted PED monitoring based on 2008-09 evaluation and 2009-10 district monitoring results.
- If NCLB is not reauthorized in early 2011, potential for SES rulemaking.