

## Supplemental Education Services under the No Child Left Behind Act

***Schools classified as needing improvement must provide supplemental education services***

Under the federal No Child Left Behind Act, public schools that receive Title I funds and fail to demonstrate adequate yearly progress for three consecutive school years are categorized as “needs improvement.” These public schools must use at least 20 percent of their Title I funds for intradistrict student transfers to schools that demonstrate adequate yearly progress and to provide supplemental education services to increase the academic performance of eligible low-income students.

In the 2004-2005 school year, 26 Minnesota public schools that need improvement must provide supplemental education services to students who are eligible to receive free or reduced price lunches and whose statewide test scores indicate that they must increase their reading or math skills. Other public schools that the Minnesota Department of Education (MDE) subsequently categorize as needing improvement because they fail to demonstrate adequate yearly progress for three consecutive school years will need to provide supplemental education services to eligible students, too.

***The Minnesota Department of Education approves supplemental education service providers***

Supplemental educational services include tutoring, mentoring programs, and after-school services provided by state-approved public or private providers. These providers can include school districts and charter schools that demonstrate adequate yearly progress, educational service agencies, public or private postsecondary institutions, and faith-based organizations. Supplemental education services must be “high quality, research-based and specifically designed to increase [students’] academic achievement.”

The MDE uses nine criteria to develop a list of approved providers. There were 24 department-approved supplemental education service providers for the 2003-2004 school year. There are 43 approved new and existing providers for the 2004-2005 school year. The list includes, among other providers, the Minneapolis and St. Paul school districts, intermediate school districts, other Minnesota providers, and non-Minnesota providers. Generally, providers remain on the department’s list of approved providers for three years.

***MDE must monitor the quality and effectiveness of providers’ services***

The MDE also monitors the quality of providers’ services. Federal law requires the department to withdraw approval of providers “that fail for two consecutive school years to contribute to the academic proficiency of students.” In a March 2004 report on the No Child Left Behind Act, the Legislative Auditor recommended that the legislature examine department standards for monitoring approved providers, including:

- how the department will disentangle the impact of supplemental education from the impact of regular school instruction on students’ performance; and

- whether the department will assess providers’ effectiveness using an absolute measure, such as the percent of “proficient” students or measure individual students’ growth over time toward proficiency.

***School districts must contract with providers selected by parents and use designated funds to pay providers***

School districts must tell parents that they may select an approved supplemental education service provider for their eligible students from the MDE list and that they may specify services for the students. After parents select a provider, the district must contract with that provider to meet the student’s academic achievement goals set by the district in consultation with the student’s parents and the provider.

The district pays the provider directly, using funds allocated for supplemental education services; fund amounts can vary by district but average about \$1,500 per eligible student. If parents’ demand for services exceeds available funds, districts first must serve those students with the greatest need to increase their reading or math skills.

Providers must give parents and the enrolling school information on students’ progress.

***State rule specifies eligibility criteria and approval process***

[Minnesota Rules, part 3512.5400](#), describes the eligibility requirements and the approval process for supplemental education service providers. The rule does not specify the basis for withdrawing approval from providers that fail to increase student proficiency for two consecutive school years, consistent with federal law.

**For more information:** Contact legislative analyst Lisa Larson at 651-296-8036. Also see the House Research publication [Adequate Yearly Progress Under the No Child Left Behind Act](#), November 2003.

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