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Office of Intergovernmental Affairs and Grants Administration

SUBJECT: REQUEST AUTHORIZATION TO NEGOTIATE AND TO ENTER INTO CONTRACTUAL AGREEMENTS WITH STATE-APPROVED SUPPLEMENTAL EDUCATIONAL SERVICES PROVIDERS CONTINGENT UPON THE PROVIDER BEING CHOSEN BY PARENTS OF ELIGIBLE CHILDREN

COMMITTEE: INSTRUCTIONAL EXCELLENCE & COMMUNITY ENGAGEMENT

Pursuant to the No Child Left Behind Act of 2001 (NCLB), students eligible for free or reduced price meals, who are attending Title I schools that have not made Adequate Yearly Progress (AYP) for three consecutive years, are eligible to receive Supplemental Educational Services (SES). This is a component of Title I of the Elementary and Secondary Education Act (ESEA), as reauthorized by NCLB, which provides additional academic assistance outside of the regular school day for eligible children. Students from nine (9) eligible Title I schools received SES during the 2004-2005 school year. It is anticipated that based on current AYP criteria, approximately 140 Title I schools could be eligible to receive SES during the 2005-2006 school year. However, recent modifications to the State Accountability Plan, could result in a lesser number of schools failing to make AYP, thus yielding fewer schools eligible to receive SES.

The Florida Department of Education (FLDOE) required that all providers authorized to deliver SES for 2004-2005 update their application for 2005-2006. The FLDOE is now in the process of approving additional providers. Once a provider is on the State-approved list, the District cannot require an additional application and approval process for the provider to deliver services if selected by a parent of an eligible student, except the requirement to abide by applicable health, safety, and civil rights laws.

In conducting its approval process, the FLDOE was required to ensure that each provider: (1) has a demonstrated record of effectiveness in improving student academic achievement; (2) uses instructional strategies that are high quality, based upon research, and designed to increase student academic achievement; (3) provides services that are consistent with the instructional program of Miami-Dade County Public Schools (M-DCPS) and with State academic content and achievement standards; (4) is financially sound; and (5) provides supplemental educational services consistent with applicable Federal, State, and local health, safety and civil rights laws.

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Supplemental Educational Services are funded through a portion of the 20% choice set-aside from the Title I allocation as required under NCLB. The FLDOE has not yet established the maximum cost per pupil for SES for M-DCPS for the 2005-2006 school year. The cost per pupil for the 2004-2005 school year was \$1,391.40. The cost per pupil represents the maximum per student that will be paid to any State-approved provider in connection with the provision of SES in Miami-Dade County. It is anticipated that the District will be able to serve approximately 5,000 students who select SES as the NCLB choice option.

In accordance with the requirements of NCLB, the District provided parents of children in eligible Title I schools with information in English, Spanish, and Haitian Creole related to the availability of SES. Four provider fairs were conducted throughout the District to ensure ample opportunities for parents to select this option. Information about the provider fairs was sent to parents via flyer in all three languages. Posters advertising the fairs were displayed at each eligible Title I school. Additionally, transportation to each of the provider fairs was provided for parents. The first enrollment period for the 2005-2006 school year was April 25, 2005, through May 31, 2005, and a second enrollment period is planned for August 2005.

In order to be in compliance with NCLB, M-DCPS must enter into separate contractual agreements with each State-approved SES provider selected by the parents of eligible students. Each contractual agreement is for a one year term with two, one-year renewal options to correspond with the terms of State approval, at the mutual discretion of the parties. In addition, the contractual agreement provides for the maintenance of student and fiscal records in accordance with Florida Statutes and Board Rule; the fingerprinting and drug screening of providers' employees conducted by the District, at the cost of the provider; and for termination of the contract should the provider fail to perform under the terms of the contract, cessation of federal funding, or the provider no longer appears on the FLDOE approval list.

Copies of the proposed contract will be transmitted to the School Board Members under separate cover and are available for inspection by the public in the Office of Board Recording Secretary, Room 924, and the Citizen Information Center, Room 158, 1450 NE Second Avenue, Miami, Florida 33132.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to:

1. negotiate and to enter into separate contractual agreements with each State-approved SES provider selected by the parent of an eligible student in an amount not to exceed a per student cost equal to the annual cost per pupil for Supplemental Educational Services as defined by the Florida Department of Education (FLDOE) and authorized by The No Child Left Behind Act of 2001 (NCLB), for a contract period of July 1, 2005, through June 30, 2006, and report to the Board those providers with which the District has contracted; and
2. renew these contractual agreements annually, for up to two additional years, consistent with the terms of the contracts and the requirements of NCLB.

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