

## EDUCATION WEEK

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# Federal Tutoring Program Is Deeply Flawed

## An unregulated and unproven NCLB tutoring program

By Joan Jacobson

Imagine a federally funded program that provides academic assistance to poor children, pays private vendors millions of dollars to hire tutors with questionable experience, gives them autonomy to choose their hourly pay rates and pupil-teacher ratios, and accepts the vendors' unconfirmed "self-evaluation" as evidence of academic improvement, a crucial condition for staying in the program.

Imagine understaffed local school districts saddled with the job of spending precious Title I funds to pay thousands of invoices from these private companies, sometimes with only a child's initials on a time sheet to prove a tutor showed up.

Now imagine this program is part of the No Child Left Behind Act.

Yes, the same law passed by Congress in 2001 that demands accountability in schools by testing children's math and reading skills with highly scrutinized state assessments, requires core-content teachers be "highly qualified," and calls for states to clamp down on low-performing schools by issuing school district report cards to the U.S. Department of Education.

While NCLB has been publicly debated for its hard line on public school accountability, its lesser-known tutoring component, called supplemental educational services, or SES, is designed by law to go in the opposite direction, establishing a privatized system with a hands-off approach that largely discourages monitoring and regulation by public educators.

Nationally, numerous studies of SES have found myriad flaws. In Minnesota, **Tennessee**, and Wisconsin, researchers cited little academic improvement for SES students. In **Kentucky**, they discovered scant coordination between tutors and classroom teachers. **Los Angeles** had low student participation, while **Chicago** had good attendance and some improvement in test scores.

I spent six months researching SES for the Baltimore-based Abell Foundation, analyzing how the program is administered in Maryland and in the Baltimore city district. Last year in the Baltimore public schools, 29 for-profit and nonprofit companies provided tutoring for 5,769 low-income students in the 41 schools that did not make adequate yearly

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progress, or AYP, on state tests for three consecutive years. The financial investment is not insignificant: In the first nine years of the program, Baltimore spent \$55 million in SES funds. The program has become so cumbersome to administer that tutoring doesn't begin in Baltimore until December or January, because of the thousands of applications that city school officials have to process each year.

Like researchers in other states, I found the key to the program's lack of accountability rests on the federal law that gives mixed signals to state education agencies. On the one hand, the law requires that the tutoring program be "high-quality, research-based." On the other hand, it bans any state from requiring tutors be "highly qualified" and gives only vague responsibilities for overseeing the program. The law even warns state education agencies that their focus "should not be on micromanaging the SES marketplace."

Unfortunately, just barely managing the SES marketplace (let alone micromanaging it) is nearly impossible when the federal government offers no extra money to monitor the program and bars a school district from daily supervision of the tutoring, most of which goes on in its own schools after hours.

Considering the difficulty of isolating the effect of 30 to 40 hours of tutoring from other learning, coupled with the lack of funding for evaluation, "it is little wonder that most states have been slow to monitor and evaluate provider effectiveness," wrote researchers at the Center for Research on Educational Policy, or CREP, at the University of Memphis in their 2008 study of Tennessee's supplemental-services program.

The law gives states several options for evaluating student academic achievement. The one chosen by the Maryland Department of Education requires that individual vendors test their students with assessments of their choosing—with no school officials present during testing. Results are then posted on a database that only the state education agency officials can see, making it difficult for parents to size up individual vendors when shopping for a tutoring company.

In addition, vendors are not required to show the actual tests they use to gauge progress to any school official. In light of the cheating scandals reported in recent years on state-mandated tests around the country, this honor system approach is, at the very least, naive. When you figure in the fact that vendors have an incentive to make the numbers look good—they must show academic improvement to keep their contracts with the state—it is nothing short of alarming.

The news that all of Maryland's vendors self-reported academic progress is suspicious in light of independent CREP studies that showed little or no improvement in Maryland SES students' standardized-test scores compared with the scores of non-SES students.

While [my research on Maryland's](#) dubious practices of gauging academic achievement mirrored other studies around the country, I found no reports in other states that evaluated the payment system to vendors.

I discovered that the Baltimore school system was paying private tutoring companies without always knowing if the tutoring services were actually rendered. I personally might have

overlooked this aspect of SES if I had not been the victim of a payment scam by a tutoring provider in a separate public school program.

In 2009, I discovered that the private tutoring company hired by the Baltimore city schools to provide special education tutoring to my son was fabricating my son's records and forging my signature on time sheets for numerous hours of tutoring that never occurred.

Two years later, the company's owner was convicted of stealing more than \$150,000 from the city school system meant for 250 special education students. She was sentenced to 18 months in prison and ordered to make restitution.



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The time-sheet system in my son's special education case was similar to the time records kept for SES, with one big difference: A parent's signature is not required in a majority of SES time sheets because parents are not present in after-school SES sessions.

Usually, a child's initials or signature will suffice. Attendance monitors who are hired (at extra expense, by the school system) are not always present for the duration of a session, so there isn't adequate proof that the invoices submitted by vendors are accurate. Even more problematic are time sheets and invoices for a growing number of online and at-home SES sessions that are totally unverified by school officials.

With so much research across the country pointing out the pitfalls of supplemental educational services, it is good that the federal Education Department is now offering states flexibility in administering the No Child Left Behind Act, a decade after the law was enacted. Letting go of SES could free up as much as \$800 million for school systems and state education agencies to use more wisely—hopefully, in a manner that would allow school officials to administer and monitor a program with experienced tutors who can give students truly "high-quality, research-based" tutoring that will help them improve academic performance. That would finally be money well spent.

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