

**RESOLUTION AUTHORIZING CONTRACTS WITH  
SUPPLEMENTAL EDUCATION SERVICE (SES) PROVIDERS AND RELATED PAYMENTS**

**WHEREAS**, under Title I of the Elementary and Secondary Education Act, as reauthorized by the No Child Left Behind Act of 2001 (NCLB), students from low-income families attending schools that do not make adequate yearly progress for three or more years are eligible to receive Supplemental Educational Services (SES) from a provider selected by the parent/guardian;

**WHEREAS**, Supplemental Educational Services provide extra academic support outside the normal school day to eligible students through tutoring or other remedial help which is high quality, research-based and specifically-designed to increase a student's academic achievement and attain proficiency in meeting Illinois academic achievement standards;

**WHEREAS**, as required by the United States Department of Education, the Illinois State Board of Education (ISBE) regulates the implementation of SES programs by Illinois school districts and SES providers operating in Illinois through rules established under 23 Illinois Administrative Code 675, and annually issues a list of ISBE-authorized SES providers qualified to serve Illinois school districts; and

**WHEREAS**, under NCLB, the District is responsible for funding SES through its Title I, Part A funds [20 U.S.C. 6301-6339, 6571-6578 et seq.];

**WHEREAS**, under NCLB, the District is required spend an amount equal to 20 percent of its Title I, Part A allocation for both SES and School Choice-related transportation, from which the District must spend (a) at least 5% on School Choice-related transportation; (b) at least 5% on SES; and (c) the remaining 10% on either (a) or (b), or a combination thereof [20 USC 6316];

**WHEREAS**, ISBE regulates the service rates that SES providers may charge to the District and in accordance with NCLB, the maximum per-student amount SES providers are permitted to charge is the lesser of: (i) the District's per-student allocation under Part A of Title I of NCLB; or (ii) the reasonable estimates of the SES providers' actual costs of the services. The District's per-student allocation under Part A of Title I of NCLB is the actual amount calculated by ISBE as stated in its annual Per Pupil Expenditure Report;

**WHEREAS**, based on the Title I expenditure formulas, the Office of Budget and Grants Management estimates that the FY 2014 required portion of Title I, Part A funds to be expended by the District on SES is approximately \$60,000,000, with the final amount to be determined by (ISBE) and reported to the Office of Budget and Grants Management by January 2014;

**WHEREAS**, the District, by and through the Department of Academic Learning & Supports administers the District's SES program and engages CPS schools in accordance with ISBE regulations to (a) select the ISBE-authorized SES providers who shall offer services on-site at the school, (b) conduct student registrations within the timeframe identified by ISBE, and (c) conduct SES provider fairs that provides parents/guardians with information on all ISBE-authorized SES providers, their program offering and whether their services are available on-site at the school, on-line (either at the school or elsewhere) or off-site;

**WHEREAS**, once a parent/guardian selects an ISBE-authorized SES provider and registers their child, the SES provider, in collaboration with the parent/guardian, establishes an Individualized Tutorial Plan for the student based on an evaluation/assessment of student's education needs;

**WHEREAS**, the Department of Academic Learning & Supports operates a process to ensure that ISBE-authorized SES providers: (a) are under contract with the Board which contract utilizes the terms, conditions and rate(s) approved by ISBE; (b) comply with their Board contract including provision of an Individualized Tutorial Plan; (c) satisfy student attendance and other program reporting requirements; (d)

comply with federal and state regulations and guidelines applicable to such services; and (e) are evaluated annually on the effectiveness of their program;

**WHEREAS**, Board Rule 7-2.2 specifies that engagement of vendor(s) required by the US Department of Education, ISBE, or other federal, state or local governmental agency to provide services under a grant or educational service program administered by the governmental agency are not subject to the competitive procurement requirements set out in Board Rule 7-2 and further that the Chief Executive Officer and Chief Education Officer may authorize such expenditures up to \$75,000. Any expenditure that exceeds \$75,000 requires Board approval; and

**WHEREAS**, in accordance with Board Rule 7-2.2, the Board wishes to authorize contracts with ISBE-authorized SES providers and to authorize payment of FY2014 Title I, Part A funds to various ISBE-authorized SES providers for the provision of supplemental education services to qualifying students in accordance with their Board contract.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE CITY OF CHICAGO THAT:**

1. The Department of Academic Learning & Supports shall operate a program for ISBE-authorized SES providers to furnish supplemental education services to eligible CPS students under an Individualized Tutorial Plan in accordance with NCLB requirements.
2. The Chief Teaching and Learning Officer is authorized to execute, on behalf of the Board, written agreements (including indemnification provisions) with ISBE-authorized SES providers for supplemental education services, including those expenditures in excess of \$75,000, subject to approval as to legal form by the General Counsel. The Chief Teaching and Learning Officer is further authorized to execute on behalf of the Board any amendments to such agreements with SES providers, subject to approval as to legal form by the General Counsel.
3. The Chief Teaching and Learning Officer or designee, in collaboration with the Office of Budget and Grants Management, is authorized to make payments, including those in excess of \$75,000, to ISBE-authorized SES providers in accordance with their Board contract for costs associated with the provision of supplemental education services to eligible CPS students.
4. This Resolution authorizes the payment of invoices in Title I Fiscal Year 2014 from July 1, 2013 until August 31, 2014 for supplemental education services to eligible students.
5. The authority granted in this Resolution ends August 31, 2014.