

August 4, 2008

Ms. MaryEllen Elia  
Superintendent  
Hillsborough County Public Schools  
901 E. Kennedy Blvd.  
P.O. Box 3408  
Tampa, FL 33601

Dear Superintendent Elia:

I am writing to notify Hillsborough County Public Schools (HCPS) that it may continue its participation in the supplemental educational services (SES) pilot for the 2008-09 school year. As you know, HCPS began its participation in this pilot in 2006-07, allowing it to provide SES to eligible students although it is a district identified for improvement. HCPS reported to the Department twice during the past school year, as required, and met the conditions for participation. HCPS increased the SES participation rate from 12 percent in 2005-06 to 14 percent in 2007-08, notified parents about SES options at multiple times and through different venues, offered an extended enrollment period, and offered private providers the use of school facilities at numerous schools.

By extending HCPS's flexibility agreement, I am using my authority under section 9401 of the Elementary and Secondary Education Act (ESEA), as amended, to grant HCPS eligibility to be a provider of SES to eligible students in Title I schools even though HCPS has been identified for improvement and thus is precluded from providing SES under 34 C.F.R. § 200.47(b)(1)(iv)(B). My decision to extend this flexibility agreement for 2008-09 is conditioned on HCPS's fulfilling the requirements detailed in the enclosure to this letter, which include submitting two interim reports to this Department by October 15, 2008, and January 1, 2009, respectively, and a final report by June 30, 2009. Please be sure to review the enclosure carefully, as the conditions for participation have been revised since last year to ensure effective implementation of SES. In particular, please note the requirement that, before using for other allowable activities any unused funds set aside to meet the 20 percent expenditure requirement for SES and choice-related transportation, HCPS must provide evidence to the Florida Department of Education that it has demonstrated success in implementing the conditions of this agreement. Additionally, as part of this offer of flexibility, HCPS may continue to count, toward meeting the 20 percent expenditure requirement, up to 1 percent of that amount (0.2 percent of HCPS's total Title I allocation) on parent outreach activities for SES.

In addition, as part of the terms of this flexibility agreement, HCPS must submit a report under section 9401(e)(1) of the ESEA to the Florida Department of Education at the end of the 2008-09 school year that: describes the district's provision of SES to eligible students in Title I schools;

Page 2

describes how those schools continued to provide Title I services to eligible students; and evaluates the progress of the district and schools in improving the quality of instruction and the academic achievement of students. The Florida Department of Education must then submit a report to the U.S. Department of Education based on HCPS's report.

As part of HCPS's participation in the SES pilot, we also ask for your continued assistance with the third-party evaluation that we are conducting of HCPS and the other districts participating in the pilot. We will need HCPS to supply our evaluator with student achievement data files and other information necessary to conduct an evaluation of the effects of SES on student achievement.

This flexibility agreement continues to serve several important goals: increasing the number of students receiving SES; ensuring early notice about SES through multiple venues and extended enrollment windows; allowing external organizations reasonable access to school facilities; and providing information on the academic achievement of students receiving SES.

This extension of HCPS's flexibility agreement applies to the provision of SES in Title I schools in HCPS during the 2008-09 school year and is subject to a review at the end of that school year to determine if the flexibility will be continued.

SES is an important component of NCLB, and we look forward to working with you to ensure that students are accessing services and succeeding in the classroom.

Sincerely,

Margaret Spellings

Enclosure

cc: Honorable Eric J. Smith

**Agreement for the Provision of Supplemental Educational Services  
by Districts in Improvement Status for the 2008-09 School Year**

**HILLSBOROUGH COUNTY PUBLIC SCHOOLS**

**Goals of Participation**

- To increase the number of students receiving supplemental educational services (SES) under NCLB.
- To evaluate the effectiveness of SES provided by districts and external organizations to raise reading and math scores on state tests and to identify best practices.

**Conditions of Participation**

Parent Notification and Outreach

- The district must provide parents with an early notification of opportunities for SES under NCLB, contingent upon receiving timely state assessment results for making AYP and school improvement determinations.
- The district must notify parents of the availability of SES in correspondence that is written in language that parents can understand. This notice must highlight the benefits of SES and be clear and concise, as well as clearly distinguishable from the other information sent to parents notifying them that their child's school is in improvement status.
- The district must notify parents and the community of the availability of SES and offer an opportunity for parents to sign their child up for SES by letter to the student's home and by at least two other means, such as community flyers, newspaper postings, or other methods. The district must partner with community-based organizations to inform students and parents of SES options to the extent practicable.
- The district must include on its Web site the following information: the number of students who were eligible for and who participated in SES and public school choice during the 2007-08 school year; a list of SES providers approved to serve the district, as well as the locations where services will be provided for the 2008-09 school year; and a list of available schools to which students eligible for public school choice may transfer for the 2008-09 school year.

Enrollment Process

- The district must provide either a rolling or expanded enrollment process, or more than one opportunity during the school year for parents to enroll their children in SES, and must allow eligible students to receive SES throughout the academic year.
- o The district must make sign-up forms widely available and accessible and must distribute them directly to all eligible students and parents.

### Equitable Treatment of Non-LEA Providers

- The district must administer SES in a way that provides a level playing field for all providers by:
  - Distributing parent outreach materials that do not favor the LEA's program over private providers' programs; and
  - Ensuring that providers are given access to school facilities using a fair, open, and objective process, on the same basis and terms as are available to other groups that seek access to school facilities.

### Funding

- The district must obligate, contingent upon demand for SES and public school choice, an amount equal to 20 percent of its Title I, Part A allocation for SES and choice-related transportation. The district must, before using for other allowable activities any unused funds set aside to meet the 20 percent expenditure requirement for SES and choice-related transportation, provide evidence to the state that it has demonstrated success in implementing the conditions of this agreement.
- The district may count, toward meeting the 20 percent expenditure requirement, costs for parent outreach for SES and public school choice. The amount that may be counted toward the 20 percent expenditure requirement is capped at 1 percent thereof (0.2 percent of the district's Title I, Part A allocation). The district may spend more than the 1 percent on parent outreach activities but cannot count more than that amount toward its expenditure requirement.

### Monitoring and Reporting

- The district must participate in a kick-off conference call with staff members from the SEA and the U.S. Department of Education, prior to the start of the school year, to ensure that all parties understand the conditions of the pilot. The Department may conduct additional monitoring of the district, on-site or through other means, as warranted.
- The district must submit to the Department two interim reports on how it met the goals and conditions of the pilot by October 15, 2008, and January 1, 2009, respectively, and a final report by June 30, 2009.

### Program Evaluation

- The district must participate in an independent, third-party evaluation of the effects of its own services and those of external providers on state reading and math tests, including an analysis of the characteristics of children served by district and external providers, and gains in student achievement, controlling for student background characteristics and prior achievement.