



Increasing Bureaucracy or
Increasing Opportunities?
School District Experience with
Supplemental Educational Services

By

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EXECUTIVE SUMMARY

The No Child Left Behind Act (NCLB) requires districts to offer supplemental educational services to students in schools that are in the second year of school improvement—that is, schools that have been identified for not meeting the state’s adequate yearly progress goals for three consecutive years. NCLB defines supplemental educational services as “additional academic instruction designed to increase the academic achievement of students in low-performing schools” and states that services must “be provided outside the regular school day.” Supplemental service providers may include non-profit, for-profit, and faith-based organizations in addition to the public schools. These requirements are new and have no precedent in prior federal legislation.

This report examines the implementation of NCLB’s supplemental educational service provisions in eleven urban districts— Mesa Public Schools and Washington Elementary District Schools, AZ, Fresno Unified School District and Los Angeles Unified School District, CA, Chicago Public Schools, IL, Buffalo Public Schools and New York City Public Schools, NY, Arlington Public Schools and Richmond Public Schools, VA, and Atlanta Public Schools and DeKalb County Schools, GA. This geographically, politically, and demographically diverse sample of districts provides a range of local contexts for studying the implementation of supplemental educational services. Our first year study highlights the following findings.

Supplemental educational services were not widely used during the first year even though there were thousands of eligible students.

- In each of the districts we studied, fewer than 18% of eligible students requested and received supplemental educational services. In most of these districts it was less than 7% of the eligible students, and in some it was less than 1%.
- This provision disproportionately impacts districts serving large numbers of low income and minority students, yet there is little empirical evidence of its effectiveness for the most vulnerable students.

Supplemental educational services placed enormous administrative burdens on districts implementing supplemental education services.

- Districts provided considerable administrative and managerial oversight of the development and implementation of the program yet there no additional resources to meet these responsibilities. While Title I administrative funds could be used for this purpose, districts reallocated these from existing funds and programs.
- Title I schools also lost resources since districts reduced a school’s Title I allocation to cover the costs of supplemental services, diverting resources from other reform efforts. This funding strategy limited efforts to plan for long-term school reform.
- Most supplemental educational services programs were not well coordinated with the classroom curriculum and there were few mechanisms for providers to communicate effectively with classroom teachers.

Supplemental educational services are being implemented with little or no accountability.

- Few districts had plans in place to evaluate supplemental services, and those that did relied on the most rudimentary evaluation methods.
- There is no research on how these programs might work or how they might effect student achievement and the performance of Title I schools.

Even though supplemental services were not widely used during the first year, it remains important for the following reasons.

- Supplemental educational services represents a major tenant of the law, that is, that competition will produce better educational opportunities for disadvantaged students than the public schools provide and that accountability for individual student achievement will improve the performance of low performing schools. Whether this is true remains untested.
- The potential for supplemental educational services to fragment Title I is real and not addressed in the law. Supplemental services revises the direction of earlier Title I legislation that encouraged programs designed to increase curricular and instructional integration and diverts resources from the most needy schools.
- Supplemental educational services shift the focus from improving poorly performing schools to improving individual student achievement, but only for those requesting services. Combined with the loss of resources, it is unclear how this strategy will improve low performing, disadvantaged schools.
- The demand for supplemental educational services is likely to increase in most jurisdictions because the number of students eligible to receive services continues to grow and parents seem to prefer supplemental services over the option to transfer to another school.

While disadvantaged students can benefit from access to additional services, how they are provided is as important as their availability. Research suggests that stand-alone programs tend to fragment the delivery of instruction without any clear educational benefit. While there is no panacea to improving the performance of disadvantaged students, research has identified some directions that are more effective than others. For now, better evidence is needed before public dollars are used to support supplemental educational services on a large scale.

INTRODUCTION

Supplemental educational services, along with the public school transfer option, exemplify the core principles that underlie the No Child Left Behind Act of 2001 (NCLB). According to federal policymakers (U.S. Department of Education, 2002a), “the choice and supplemental educational services requirements of the law not only help to enhance student achievement but also provide an incentive for low-performing schools to improve” (p.11). Both the transfer option and supplemental educational services are based on the assumption that competition will expand the educational opportunities of students and create incentives for low-performing schools to improve their instructional program. Underlying supplemental services is the assumption that academic instruction provided outside the regular school day by public and private organizations will be able to do what schools could not—raise the achievement of students in consistently poorly performing schools. Supplemental educational services, among the first major provisions districts are required to implement, raises questions about the policy process at the district level and whether the federal law will improve educational opportunities for disadvantaged students.

While the supplemental educational services provision requires a specific approach to improving student achievement, it ignores the capability of mediating organizations, such as local educational agencies, to implement it (Timar, 1997). School districts must translate the provision into workable programs, mesh it with existing policies, and gain support for it among principals, teachers, parents, and the community. The priorities of district officials, who are interested in maintaining the legitimacy of the school system, include securing resources (money and teachers) to run the system and distributing these resources in a way that satisfies the various constituencies with an interest in the school system. To the extent that NCLB’s mandates—such as supplemental educational services—reinforce those objectives, implementation will proceed smoothly. Where they conflict, implementation is likely to be more contentious.

Supplemental educational services also raise concerns about civil rights and racial equity since districts serving large numbers of disadvantaged students are likely to be the first required to offer them. Apart from implementation issues, it is unclear whether supplemental services will improve the education of low-income and minority students. There are no models of this program in existence prior to NCLB and no research on how it might work. Furthermore, these services are likely to impose additional burdens on districts unless there is a corresponding increase in the resources needed to implement them. Supplemental services may weaken the organizational capacity of Title I schools to deliver a coherent instructional program by diverting resources away from schools and limiting the flexibility of school professionals. By emphasizing accountability for individual student achievement, this provision risks leaving behind large numbers of students unable to access the additional services. From a civil rights perspective, since this remedy for low performance is untested, it is important to understand the potential consequences for minority and low-income students.

In this paper we examine the ability of districts to implement the requirement that schools offer supplemental educational services to students attending poorly performing schools. Under NCLB accountability, this mandate is among the first interventions to go into effect and is a clear representation of the principles discernable in NCLB—it relies on accountability and competition as mechanisms to improve education and produce better opportunities for disadvantaged students. It is also likely to require considerable effort from district administrators to translate the provision into programs that can be implemented.

This report is organized as follows. The next section traces the emergence of supplemental services as a policy alternative in the NCLB legislation. We examine how supplemental services reverses the direction of previous Title I legislation and assess the potential benefits and costs of its provisions on the educational opportunities of disadvantaged children. Next, we describe the design of the study. In the fourth section, we describe student participation in the supplemental educational services program during the first year of implementing NCLB (2002-03). We then examine the implementation of supplemental educational services, including the administrative and management challenges to implementing programs, the costs to districts and local schools, and the implications of supplemental services for delivering a coherent curriculum. The sixth section discusses the challenges to evaluating the effectiveness of supplemental educational services. The final section offers our conclusions and recommendations.

SUPPLEMENTAL EDUCATIONAL SERVICES: DISTRICT RESPONSIBILITIES AND CIVIL RIGHTS IMPLICATIONS

Supplemental educational services emerged as a policy derivative from the idea of “portability,” a concept developed in a series of papers published in 1999 by the Fordham Foundation (Kanstoroom & Finn, 1999). In one of the papers, Ravitch (1999) argued that Title I funding had created an “unwieldy bureaucracy” and that “the most direct way to reform Title I—and cut its bureaucracy down to size—would be to convert it to a portable entitlement, available to its intended recipients for educational services” (p. 143). The idea that dollars should follow the child in the form of a per-pupil allocation was taken up by Senator Judd Gregg (R-NH) in his proposal to re-authorize the Elementary and Secondary Education Act (ESEA) and Title I in 1999-2000. In this proposal, the ability to purchase educational services from an instructional service provider was part of a larger portability proposal. While the portability proposal was defeated, the No Child Left Behind Act of 2001 (NCLB) retained the idea of supplemental educational services as one of the school improvement alternatives available to students in low performing schools. The idea was not based on previous experience or research but represented a political compromise between supporters and opponents of vouchers.

NCLB requires districts to offer supplemental educational services to students in schools that are in the second year of school improvement—that is, schools that have been identified for not meeting the state’s adequate yearly progress goals for three consecutive years. The federal law permits districts to offer supplemental services to students in schools that were in their first year of school improvement if school choice was not possible.¹ As a result, many parents whose children were eligible to transfer to another school could choose instead to receive supplemental services. NCLB defines supplemental educational services as “additional academic instruction designed to increase the academic achievement of students in low-performing schools,” and indicates that they “must be high quality, research-based, and specifically designed to increase student achievement.” The federal legislation also requires that supplemental services “be provided outside the regular school day,” which may include after-school and weekend programs (U.S. Department of Education, 2002, December 12) [P.L. 107-110, Sec. 1116(e)(12)(C)]

Under NCLB, the supplemental service requirements are new and have no precedent in prior federal legislation. Unlike sanctions imposed in the past, they are no longer optional or at the discretion of district officials. In addition to the public schools, supplemental service providers may include non-profit, for-profit, and faith-based organizations, charter schools, private schools, and public and private colleges and universities (U.S. Department of Education, 2003, August 22). While this requirement potentially increases the supply of providers, it places additional monitoring and

¹According to the federal statute, districts must provide all students enrolled in a school that is in its first year of school improvement (schools identified for not meeting the state’s adequate yearly progress goals for two consecutive years) “with the option to transfer to another public school served by the local educational agency” (P. L. 107-110, § 1116(b)(1)(E)(i)).

bureaucratic duties on the district. The district must enter into agreements with all providers and monitor their progress towards improving student achievement. In addition, districts are required to set achievement goals, develop a plan for monitoring student progress, and outline a timetable for improving student achievement for students requesting supplemental services (P.L. 107-110, Sec. 1116(e)(3)(A)). Districts must inform parents about the availability of these services as well as provide them with reports on student progress. Finally, districts are required to set aside a portion of their Title I allocation to pay for supplemental services and to make all arrangements to pay the providers.

These supplemental service requirements reverse the direction of earlier Title I legislation that moved the program in the direction of establishing schoolwide programs coordinated with the regular curriculum. One of the criticisms of the early categorical Title I program was that the delivery of instruction was characterized by curricular and instructional fragmentation and that there was little coordination between the Title I program and the regular curriculum (Jeffrey, 1978; Johnston, Allington, & Walker, 1985; Kaestle & Smith, 1982; Kirst, 1988; Kirst & Jung, 1982; Martin & McClure, 1969). Recognizing this as a problem, federal officials began to soften requirements that program services be distinct and easily identifiable in several ways. First the 1988 Hawkins-Stafford Amendments to the ESEA and later the 1994 Improving America's Schools Act gave local school districts and schools greater flexibility to decide where and how to use the federal Title I resources and encouraged the adoption of schoolwide programs. To further encourage the adoption of schoolwide programs, the federal law successively lowered the poverty cutoff point required for schools to qualify for adopting a schoolwide program. While not a panacea, schoolwide programs eliminated some of the major obstacles to integrating Title I services with the school curriculum.

The earlier Title I legislation also granted increased flexibility to school professionals to address the concentration effects of disadvantaged students in poor neighborhoods (Wong, Sunderman, & Lee, 1997). It directed additional resources to schools serving disadvantaged students and promoted flexibility in the use of those resources to encourage instructional innovation and coordination between the Title I program and the regular curricular program. Finally, prior ESEA legislation incorporated accountability by requiring that the same standards apply to all students, including those in high-poverty Title I schools. Taken together, the idea was that these approaches would foster deep and comprehensive school reform that would demonstrate results.

As subsequent sections of this report will show, these approaches to a coordinated and comprehensive reform of Title I schools are threatened under NCLB. NCLB fails to provide a clear understanding of whether supplemental educational services will contribute to the development of coherent instructional programs or whether service providers will be compelled to coordinate their services with classroom teachers or school principals. Instead, the supplemental service provisions weaken the organizational capacity of schools to develop a coherent instructional program. By directing resources to outside service providers, it reverses earlier attempts to provide additional resources to needy schools and limits the school's ability to develop comprehensive strategies to help

disadvantaged students. In fact it reduces a school's Title I allocation since Title I funds must be "set aside" to pay the providers. And, it decreases accountability by emphasizing short-term accountability for individual student achievement. Rather than a focus on a broad range of school level outcomes tied to state standards and the development of school improvement plans to meet those standards, it focuses on improving individual student achievement, but only for those requesting services.

Advocacy organizations remain divided over the potential benefits and costs of supplemental services on minority children's learning opportunities and outcomes. On one hand, some advocates believe that the expansion of supplemental education services has the potential to equalize learning opportunities between White and minority students. This view was recently echoed in a White House Report on the education of Hispanic children (President's Advisory Commission on Educational Excellence for Hispanic Americans, 2003). Among the policy recommendations, it stressed that "Hispanic American parents with children in poor-performing public schools must have a legitimate opportunity to exercise these options under NCLB" (p. 6). Other organizations, however, have voiced strong opposition to NCLB's supplemental service provisions, viewing it as a thinly veiled attempt to "voucherize" public education. For example, a leader of the National Alliance of Black School Educators (NABSE) asserted in a recent editorial:

The Alliance considers educational vouchers as a "bad" quick-fix solution that addresses the needs of only a few children while ignoring the continuing educational plight of the majority of poor children. It is morally dishonest to take attention away from creating structures and resources to assure quality education for poor children by directing attention and resources through vouchers to a symbolic "lucky few." (Gray, 2003)

Thus far, research provides little evidence to guide policymakers and advocates who disagree about the benefits of supplemental education services. The most rigorous national evaluation of the 21st Century Learning Community Centers, an after-school program for children in urban and rural communities, has shown the program had limited effects on student achievement and modest impacts on some non-cognitive indicators (U.S. Department of Education, 2002b).² Moreover, summer school programs, which have been developed in response to research showing that the achievement gap forms and widens primarily during summer vacation (Entwisle, Alexander, & Olson, 1997; Heyns, 1978; Murnane, 1975), failed to narrow the achievement gap between low- and middle-income students (Cooper, Charlton, Valentine, & Muhlenbruck, 2000). As a result, some scholars (Entwisle, Alexander, & Olson, 2000) have suggested that if "summer school and other programs [are] to close the learning gap, they have to be designed especially for poor children and provided only for them" (p. 25).

While many programs have shown limited success, research does point to some promising approaches that have been beneficial for improving the achievement of disadvantaged students. Research on the implementation of Title I suggests that all

² Mathematica conducted a national evaluation of 21st Century Learning Centers. Impact was greater only when there was parental involvement.

students benefit in schools that adopt a comprehensive approach to educating children. This includes adopting a Title I curriculum that is coordinated with the regular curriculum, providing programs that support instruction students receive in the core curriculum, and developing expectations that are the same for all students (Orfield & DeBray, 1999; Wong et al., 1997). Programs that focused on individual student remediation that were not coordinated with the regular classroom curriculum were less successful (Wong et al., 1997). Other approaches that have a strong record of improving learning outcomes for minority and low-income students rely on the flexibility of school professionals to use resources to address the effects of concentrated poverty. For example, research on Title I shows that achievement gains are tied to instructional interventions, such as qualified teachers and class-size reduction, targeted at high-poverty, high-minority schools (Grissmer & Flanagan, 1999; Orfield & DeBray, 1999). Reducing class sizes in the early grades has potential to narrow the racial achievement gap since it produces larger achievement benefits for minority students than White students (Finn & Achilles, 1999; Krueger, 1999; Nye, Hedges, & Konstantopoulos, 2000). Since Title I funds often support these instructional interventions, diverting funds to other purposes may impact the ability of schools to implement these and other instructional programs that benefit disadvantaged students.

DESIGN OF STUDY

Research Questions on Supplemental Educational Services

To begin to understand how districts and schools implemented supplemental educational services in the first year of implementing NCLB (2002-03), we examined three questions.

1. What was the extent of participation in supplemental educational services during the first year of implementation?
2. How did districts implement supplemental educational services in the first year?
3. What are the challenges to effectively evaluating supplemental educational services?

District Selection Criteria and Characteristics

We purposefully selected 11 districts that enrolled large numbers of minority and low-income students. As shown in Table 1, our sample is diverse with respect to geography and size. Each district is located in one of the six states that are part of our national study on NCLB, including Arizona, California, Illinois, New York, Virginia, and Georgia. The sample includes the nation's three largest public schools districts: Los Angeles Unified School District, the Chicago Public Schools, and the New York City Public Schools. Together, these three districts enroll over 2 million students in 1,807 schools. Three districts—Mesa, AZ, Fresno, CA, and DeKalb County, GA—are among the nation's 50 largest school districts (Sable & Young, 2003). The five remaining districts are located in the "central-city" portion of the Metropolitan Statistical Area (MSA) in Phoenix, AZ (Washington Elementary), Buffalo, NY, Washington, DC (Arlington County, VA), Richmond, VA, and Atlanta, GA.

These districts enroll a large percentage of low-income and minority students. Minority students make up over 90% of the total enrollment in Los Angeles, Chicago, Richmond, and Atlanta, and over 80% in Fresno, New York City, and DeKalb County (Table 1). Buffalo enrolls 72% minority students. Over half of all students in these districts receive a federal meal subsidy. The two Arizona districts (Mesa and Washington) and Arlington County, Virginia have comparatively lower poverty rates and a smaller proportion of minority students. But since they do have a diverse student population, they are representative of many districts across the nation undergoing racial and socio-economic changes in K-12 enrollment.

Table 1: Total Enrollment and Percentage of Minority and Low-Income Students in 11 District Sample, 2001-02.

District	Total Enrollment	% Minority	% Low-Income*
Mesa Unified, AZ**	74,808	36	36
Washington Elementary District, AZ	24,811	42	49
Fresno Unified, CA	81,058	81	75
Los Angeles Unified, CA	735,058	90	73
City of Chicago Public Schools, IL	437,418	91	84
Buffalo Public Schools, NY	44,849	72	82
New York City Public Schools, NY	1,049,831	85	76
Arlington County Public Schools, VA	19,109	58	41
Richmond City Public Schools, VA	24,840	93	64
Atlanta Public Schools, GA	56,586	93	80
DeKalb County School District, GA	97,501	89	56

Source: National Center for Education Statistics, Common Core Data, <http://nces.ed.gov/ccd/districtsearch/>

*We defined "low-income" as the percentage of students receiving free- and reduced-price lunch.

**Data on free- and reduced price lunch for Mesa was provided by the district.

When we examine particular district characteristics, including student performance, we find that students in these districts usually perform below the state's average performance. Table 2 compares the state and district proficiency rates in reading and math in the lowest tested grade, that is, the percentage of students who score at or above the state defined proficiency level. In most cases, the average reading and math proficiency rate for each district is lower than the state average. For example, the average fourth-grade reading proficiency rate in Fresno (27%) and Los Angeles (21%) was below the average for California (36%). The differences between the average district proficiency rate and state proficiency rates were smaller in the two Georgia districts and in Arlington.

Table 2: State and District Proficiency Rates in Reading and Math, Lowest Tested Grade, Test Administered in Spring 2002.

District	Reading % Proficient	Math % Proficient
<i>Arizona (Grade 3)</i>	74	80
Mesa	83	57
Washington	75	44
<i>California (Grade 4)</i>	36	37
Fresno	27	30
Los Angeles	21	34
<i>Illinois (Grade 5)</i>	59	63
Chicago	37	36
<i>New York (Grade 4)</i>	64	70
Buffalo	36	50
New York City	52	67
<i>Virginia (Grade 3)</i>	72	80
Arlington	75	84
Richmond	54	60
<i>Georgia (Grade 4)</i>	77	66
Atlanta	71	56
DeKalb	76	64

Source: We obtained achievement score results from the following:
<http://accountability.doe.k12.ga.us/Report02/> (Atlanta, Georgia CRCT)
<http://206.166.105.128/ReportCard/rchome.asp> (Chicago, Illinois ISAT)
http://star.cde.ca.gov/star2002/district_index.html (Los Angeles, California CST)
<http://www.nycenet.edu/daa/2003ELA/> (New York, NY ELA4)
<http://www.pen.k12.va.us/VDOE/src/> (Arlington, Richmond, Virginia SOL)
<http://www.ade.az.gov/srcs/> (Mesa, Washington, Arizona, AIMS)

Finally, a disproportionately large percentage of the schools identified as needing improvement in each state were in the districts in our sample. Under NCLB, schools are identified for improvement if they do not meet the state’s adequate yearly progress goals. The schools are then required to implement a series of sanctions, ranging from public school transfers, to supplemental educational services, corrective action, and restructuring, depending on how many years the school failed to make adequate yearly progress. Table 3 compares each district’s share of all schools in the state with the district’s share of schools identified for improvement. These schools are in the first year of school improvement, which means they had not meet the state’s adequate yearly progress goals for two years. A sub-sample of this group of schools would be required to offer supplemental services. For example, Fresno Unified contains only 1% of the schools in California, but nearly 5% of the schools in the state that were identified as needing improvement. Los Angeles contains 7% of California’s public schools, but nearly 13% of the state’s improvement schools. Chicago, New York City, and Richmond contain at least half of the schools identified for improvement in their respective states.

Table 3: Number of Improvement Schools by District, and the Percentage of Improvement Schools in Each District as Percentage of State Total, 2002-03.

District	Schools		Improvement Schools	
	Number	Percentage of State Total	Number	Percentage of State Total
<i>Arizona</i>	<i>1,803</i>		<i>399</i>	
Mesa	88	4.9	18	4.5
Washington	25	1.4	6	1.5
<i>California</i>	<i>8,916</i>		<i>814</i>	
Fresno	99	1.1	39	4.8
Los Angeles	663	7.4	106	13.0
<i>Illinois</i>	<i>4,351</i>		<i>527</i>	
Chicago	599	13.8	335	63.6
<i>New York</i>	<i>4,296</i>		<i>434</i>	
Buffalo	76	1.8	31	7.1
New York City	1,164	27.1	382	88.0
<i>Virginia</i>	<i>2,090</i>		<i>34</i>	
Arlington	32	1.5	0	0.0
Richmond	63	3.0	17	50.0
<i>Georgia</i>	<i>1,969</i>		<i>436</i>	
Atlanta	99	2.8	28	6.4
DeKalb	129	6.6	25	5.7

Source: See Appendix 1 for data sources.

Data Collection Methods

We used both qualitative and quantitative sources of data for this study. To examine how districts implemented supplemental educational services, we conducted interviews with district officials responsible for implementing the program as well as superintendents, associate superintendents, Title I program coordinators, human resource directors, and transportation coordinators. In addition to interview data, we reviewed district documents and policies related to supplemental educational services. We augmented our interview data with accounts from newspapers and district press releases. Second, we collected district statistics on the number of schools identified for improvement and the number of students requesting and taking advantage of supplemental services. We constructed a database with data from all public schools in each state, including Title I program status (schoolwide vs. targeted assistance), number of years in school improvement, enrollment data, student demographic characteristics, and achievement outcomes. Data collection took place between October 2002 and July 2003.

In many districts, the number of schools identified for improvement in 2002-03 changed as states renegotiated adequate yearly progress rules with the federal government and as

districts found errors in the list of schools the state had identified for improvement. This meant that the number of schools that had to offer supplemental services changed during the 2002-03 school year in many districts. In conducting our analyses, we reconciled the differences in two ways. First, our list of schools identified for improvement is current as of June 2003, which marks the end of the 2002-03 school year in most districts. Second, we used multiple sources to verify our lists of improvement schools, including data obtained through district documents, interviews with district Title I directors, and national and regional newspapers.

PARTICIPATION IN SUPPLEMENTAL EDUCATIONAL SERVICES

Students were eligible for supplemental services if they attended a school that was in its second year of school improvement—that is, the school had not met the state’s adequate yearly progress goals for three consecutive years. The state educational agency has the responsibility to identify providers, maintain a list of providers, and monitor services while the district must notify parents about the availability of service, arrange for services to be provided, and also monitor the providers to be sure student achievement has improved. Parents are responsible for deciding whether or not they want their child to receive supplemental educational services and for picking a service provider. Providers include both public and private organizations and services must be provided outside of the regular school day. To pay for the services, NCLB requires districts to set aside a portion of their Title I allocation and places a cap on the amount that can be spent on each student. The district may spend less than this amount if demand for services is low, but must hold this money in reserve until a program is in place.

Our analysis of student participation during the first year of NCLB examines student eligibility for services and disaggregates eligibility by race and ethnicity. Eligible students were disproportionately minority students. While large numbers of students were eligible for services, those who actually took advantage of the program was quite small. These results are presented in detail below.

Student Eligibility for Supplemental Educational Services, by Race and Ethnicity

As mentioned earlier, students are eligible to receive supplemental educational services if they attend a school that fails to make adequate yearly progress for three or more years (second year of school improvement). Since one of our districts—Arlington—was not required to offer supplemental services in 2002-03, our analysis focuses on 10 districts. Table 4 shows the number of schools in each district that had to offer supplemental services to their students. The percentage of schools required to offer supplemental services ranged from 4.1% in Chicago to 28.3% in Atlanta. Table 5 shows the number of eligible students. Although the number of eligible students varied across the 10 districts, there are literally thousands of students who were eligible to receive services in each district. In the nation’s three largest districts, the number of students eligible for supplemental services ranged from over 240,000 in New York City, to 164,000 in Los Angeles, and over 17,000 in Chicago. Fresno, a much smaller district than Chicago, also had almost 17,000 eligible students. As a percent of total enrollment, eligibility ranged from a low of 4% in Chicago to a high of 24% in Richmond. In most districts, about a fifth to a quarter of the students were eligible for services.

Table 4: Number and Percentage of Schools Required to Offer Supplemental Educational Services, 2002-03.

District	Number of Schools	Schools Required to Offer Services	Percentage of Total District Schools
Mesa, AZ	88	10	11.4
Washington, AZ	25	6	24.0
Fresno, CA	99	21	21.2
Los Angeles, CA	663	106	16.0
Chicago, IL	599	25	4.2
Buffalo, NY	76	18	23.7
New York, NY	1,164	280	24.1
Richmond, VA	63	17	27.0
Atlanta, GA	99	28	28.3
DeKalb, GA	129	17	13.2

Source: See Appendix 1.

Table 5: Eligibility for Supplemental Educational Services as a Percent of Total Enrollment, 2002-03.

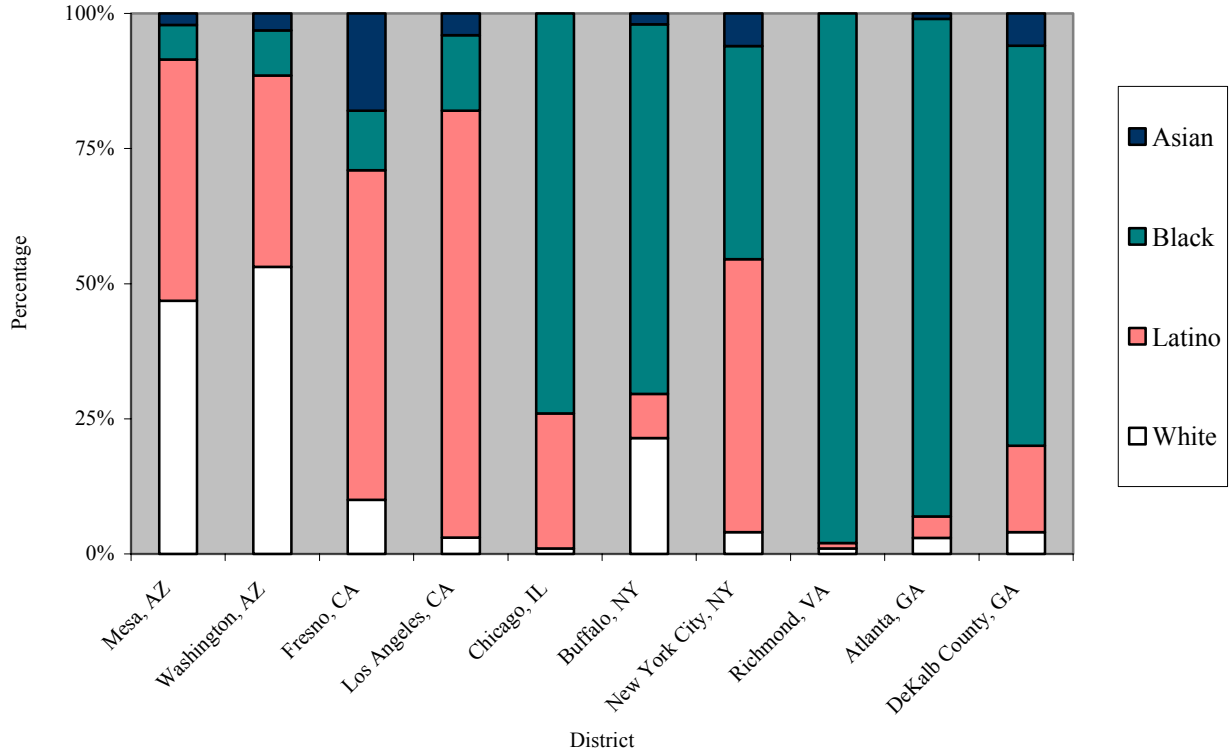
District	Enrollment	# of Eligible Students	% of Total Enrollment
Mesa, AZ	74,808	6,143	8.2
Washington, AZ	24,811	3,314	13.4
Fresno, CA	81,058	16,831	20.8
Los Angeles, CA	735,058	164,434	22.4
Chicago, IL	437,418	17,455	4.0
Buffalo, NY	44,849	9,196	20.5
New York, NY	1,049,831	243,249	23.2
Richmond, VA	24,840	6,033	24.3
Atlanta, GA	56,586	13,448	23.8
DeKalb, GA	97,501	9,355	9.6

Source: See Appendix 1.

Many of these eligible students were minorities. In Figure 1, we compare the racial/ethnic makeup of students in schools offering supplemental services in the 10 districts. The bar graph clearly shows that the vast majority of students in these schools were minority students, including Latino students in the four western districts (Mesa, Washington, Fresno, Los Angeles), Black and Latino students in Chicago and New York City, and mainly Black students in the three southern districts (Richmond, Atlanta, DeKalb) and Buffalo. In our two California districts, Fresno and Los Angeles, over 50% of the students in schools required to offer supplemental services were Latino. In the three districts located in the southeastern region (Richmond, Atlanta, DeKalb), over 75%

of students were Black. In Chicago and in New York City substantial numbers of both Black and Latino students were eligible for services.

Figure 1: Racial/Ethnic Makeup of Schools Offering Supplemental Educational Services in 10 School Districts, 2002-03.



Source: See Appendix 1.

Student Participation in Supplemental Educational Services

While large numbers of students were eligible to receive supplemental services, the number requesting and receiving services was extremely low, as shown in Table 6. The percentage of students who took advantage of supplemental services ranged from less than 1% in Mesa, Washington, and Fresno to about 18% of the eligible students in Atlanta. Indeed, in Mesa there were only two students who requested and received services. In the other districts in our study, those receiving supplemental services ranged between 2% in Richmond to 12.5% in New York City. About 6% of eligible students received services in Los Angeles, Buffalo, and DeKalb and about 5% in Chicago received services. While it is difficult to account for the low response rate or the differences in response rate between districts, the low response meant that districts could more easily accommodate those students requesting services. But it also suggests that students in low-income, high minority districts may not take advantage of supplemental educational services simply because the services are offered outside of regular school hours and away from their school building.

Table 6: Student Participation in Supplemental Educational Services by District, 2002-03.

District	Eligible Students		Requested Supp. Ed.		Received Supp. Ed.	
	#	% of eligible	#	% of eligible	#	% of eligible
Mesa, AZ	6,143		2	0.0	2	0.0
Washington, AZ	3,314		20	0.6	20	0.6
Fresno, CA	16,831		234	1.4	36	0.2
Los Angeles	164,434		11,518	7.0	10,247	6.2
Chicago, IL	17,455		1,400	8.0	850	4.9
Buffalo, NY	9,196		849	9.2	573	6.2
New York, NY	243,249		30,349	12.5	30,349	12.5
Richmond, VA	6,033		600	9.9	122	2.0
Atlanta, GA	13,448		2,380	17.7	2,380	17.7
DeKalb, GA	9,355		575	6.1	575	6.1

Source: See Appendix 2.

Although only a tiny fraction of eligible students requested and received supplemental services, this figure was still higher than the number of students who participated in the public school transfer program. Table 7 compares the number of students who requested supplemental services with the number of students who requested a transfer to another school. In most districts, more parents requested supplemental services than they did a transfer. For example, 849 of the eligible students in Buffalo requested tutoring whereas only 79 requested a transferred to another school; in New York City, over 30,000 requested supplemental services compared to 6,400 requests for transfers.³ Only in Chicago were there more requests for transfers (2,401) than for supplemental services (1,400).

³ See our report on choice (Kim & Sunderman, 2004) for more information on the transfer program under NCLB and for data on the number of parents requesting transfers.

Table 7: Comparison of Student Requests for Supplemental Educational Services and for Transfers by District, 2002-03.

District	# of Eligible Students Requesting Supp. Ed.	# of Eligible Students Requesting Transfers
Mesa, AZ	2	0
Washington, AZ	20	0
Fresno, CA	234	183
Los Angeles, CA	11,518	N/A
Chicago, IL	1,400	2,401
Buffalo, NY	849	79
New York, NY	30,359	6,400
Richmond, VA	600	123
Atlanta, GA	2,380	32
DeKalb, GA	575	49

Source: See Appendix 2 for information on the number of students requesting supplemental services.
 N/A: Los Angeles did not implement a NCLB transfer policy in 2002-03.

IMPLEMENTING SUPPLEMENTAL EDUCATIONAL SERVICES

It is too early in the process to examine the effect of supplemental services on student achievement. During the first year of NCLB (2002-03), districts struggled just to put programs in place. Most districts did not receive the list of schools that would be required to offer services until after the start of the school year and final guidance from the U.S. Department of Education was not released until December 2002. Consequently, there was some ambiguity whether schools would be required to offer services in the first year. While draft guidance was available in August, some significant issues were not clarified until December. Two important pieces of information were new. First, the December guidance urged districts to offer supplemental services to schools in their first year of school improvement when transfers were not available. Second, it clarified that schools identified for improvement after the beginning of the 2002-03 school year were required to offer supplemental educational services immediately. The late date of this requirement meant that most districts were not prepared to offer programs. Additionally, once districts did offer the program, many providers did not participate. Some providers wanted a guaranteed minimum number of students before they would offer service and would not serve a small number of students. Others did not participate because they considered the program too short to justify their setup costs.

Our analysis of the implementation of supplemental educational services during the first year revealed that NCLB shifts responsibility for providing additional educational services from Title I schools to the district. Our analysis highlights three findings. First, the NCLB requirement to offer supplemental educational services significantly increased the administrative and bureaucratic burden on district officials by requiring them to develop, implement, and monitor the program. The short implementation timeline, unclear regulations, and start-up challenges added to the administrative burden during the first year. Second, the set aside requirement, the amount of Title I money districts were required to set aside for supplemental services, was a financial burden on schools providing Title I services and created incentives for districts to provide their own services. Third, it was difficult for schools to coordinate the provision of supplemental services with classroom instruction and other programs designed to help low performing students.

Increased Administrative Burden

Implementing supplemental services received a lot less media and public attention than the NCLB transfer option, but in many ways it is much more challenging and potentially costly to districts. There are immense administrative and management challenges to implementing a supplemental service program. Districts are required to notify parents about the availability of supplemental services, process applications, and negotiate an agreement with each provider selected by students. They also must monitor the providers for accountability purposes to ensure student achievement improves and provide information the state needs to monitor the quality and effectiveness of the providers. In addition to notifying parents about the availability of services, districts must provide parents with specific information about the services, qualifications, and evidence of

effectiveness of each provider. Administratively, districts must negotiate contracts with each provider that includes specific district expectations and payment arrangements. In most districts, the school board must approve each contract. Additionally, administrative costs incurred in providing supplemental educational services are not provided for in the law. Districts may use their Title I funds to cover administrative costs, but this becomes a reallocation of existing funds rather than additional resources for a new mandate.

The number of approved providers for each district is shown in Table 8. In each district there was a mix of local and national providers and Internet providers; seven of the ten districts were also service providers. Since the list of potential providers can change from year to year, either because the state adds new providers or providers drop off the list, districts will have to continually develop new service contracts. When we conducted our fieldwork, none of the districts had established how they would monitor the providers or the effectiveness of the program. They were also vague about how communication between providers and the regular classroom instructors would be maintained.

Table 8: Number of Approved Supplemental Educational Service Providers Statewide and by District, 2002-03.

District	Approved Providers Statewide	Approved Providers District	Active Providers First Year	District Provides Services
Mesa, AZ	26	11	1	No
Washington, AZ	26	9	1	Yes
Fresno, CA	120	6	1	No
Los Angeles, CA	120	23	21	Yes
Chicago, IL	18	18	5	Yes
Buffalo, NY	104	17	6	Yes
New York, NY	104	47	40	Yes
Richmond, VA	21	16	2	No
Atlanta, GA*	14	6	N/A	Yes
DeKalb, GA	14	2	2	Yes

Source: Civil Rights Project interviews with district Title I directors. N/A: Not available.

*The Georgia State Board of Education approved 14 providers statewide that could serve students in any district in the state. The number of approved providers reflects providers approved to serve the Atlanta and DeKalb County districts. There were 144 local providers statewide, many of them local school districts.

The program was difficult for district administrators to manage and required considerable time on their part. There were numerous administrative procedures districts had to develop to set-up a supplemental services program. For one, they had to find ways to account for attrition from the program. Since both mobility and student absenteeism are chronic issues in many urban districts, student attendance at after school or Saturday programs could not be counted on. From the district perspective, administrators wanted to be sure that if they were paying a provider, there was a student receiving services. District officials also struggled with determining the location and schedule of services. They had to balance the reality that if the services were far from the home school or inconvenient, students would not attend. If a district was a service provider, union

contracts influenced how districts could develop a program, including which teachers could apply to teach in the program and building utilization for after-school or Saturday programs. Districts, which are ultimately responsible for student achievement, also had to develop new data tracking and reporting systems to monitor the quality and effectiveness of the services offered by providers. Issues about sharing students' confidential information with providers had to be addressed.

Since NCLB did not provide additional resources for the administration of the program, most districts shifted this responsibility onto existing staff. For instance, in Los Angeles Title I staff members worked overtime to create brochures, databases, application and enrollment procedures, developed special transportation plans for Saturday programs, monitored attendance, and supervised the services provided by the district. A few districts hired additional staff. Perhaps underscoring the additional bureaucratic responsibilities, the only new hire during the 2002-03 school year within the district office in Buffalo, a district with a large budget deficit, dealt solely with the administration of the supplemental services program. DeKalb hired site coordinators to help manage the program at the school site and to facilitate the transportation of students from their home school to the site where services were offered. According to the Title I Director in DeKalb, "there is going to be a site coordinator so that teachers can focus on the tutoring part of it and any other things that come up, the site coordinator will take care of" (district official, personal communication with G. Sunderman, February 14, 2003). In addition to staff that set up and managed the program, districts involved legal counsel, transportation staff, human resources, communications, and budget office personnel in various aspects of implementing the program. For example, legal counsel reviewed service provider contracts, transportation staff developed busing schedules, and human resources vetted the personnel that provided the tutoring.

During the first year, implementation was confounded by the short implementation timeline, unclear regulations, and start-up challenges. Draft guidance, released in December 2002, required schools to offer supplemental services at the beginning of the 2002-03 school year, even if the school was designated as not making adequate yearly progress after school had already started (U.S. Department of Education, 2002, December 12). It also encouraged districts to consider offering the program to students who were unable to take advantage of the transfer option. This meant many districts and schools that thought they would not have to offer services had to reconsider. Many districts did not receive a list of potential providers until after the start of the school year and then had to negotiate the terms of the contract with the service providers. Start-up time, even for small programs, took longer than expected. For instance, Richmond officials had estimated that it would take them two to three weeks to set up a program, while it actually took six to eight weeks (district official, personal communication with G. Sunderman, May 27, 2003). The process was delayed in part by the time service providers needed to put programs in place.

Nonetheless, most districts offered various kinds of supplemental service programs, most starting later in the school year. For example, the Chicago Public Schools offered a six-week program beginning in April 2003. The program in Richmond evolved as district

officials received more information from the federal government on the requirements governing supplemental services. They provided two opportunities for students to enroll in supplemental services—students who had submitted applications to transfer to another school but were not moved were offered supplemental services in the fall of 2002; otherwise, eligible students could enroll in a six-week program beginning in April 2003. The programs in Mesa, Buffalo, and at Washington Elementary began in winter 2003 and continued through the summer, thus providing students with extended access to supplemental services. Fresno offered a program beginning in February 2003. In Los Angeles, where the school board approved the service contracts on March 25, 2003, the program began after that and continued through August 2003.

Many service providers, particularly national ones, did not participate in district programs in the first year even though they were on the state approved list (Table 8). They were cautious about entering new markets and sought to protect themselves against financial loss. For example, in Richmond, there were 16 providers but only two that participated in the district's six-week spring program. Many of the national providers refused to provide services during the spring 2003 session unless they had a minimum number of students that justified setting up in the district. Others felt six weeks was too short to justify their costs. In Chicago, only five out of 18 vendors provided services. Some providers made demands on districts that were difficult or impossible to meet, including guaranteed enrollment figures and permission to use school facilities to reduce their costs. This was the case in Fresno, where Sylvan, a national vendor, wanted to hire district teachers and use district facilities. According to the district Title I Director, "they wanted to hire our teachers and pay them \$25 an hour . . . they were going to provide service in groups of 6 and wanted us to pay them \$27 an hour for trials. So we would pay them 6 times \$27 for our own teachers, our own classrooms—it was just pure profit" (district official, personal communication with J. Jellison Holme, July 31, 2003). In Richmond, one vendor required volunteers to run their program, and while the company trained the volunteers, the district was responsible for recruiting and monitoring the volunteers.

While some of the difficulties of implementing supplemental educational services were related to first year start-up challenges, the program is likely to continue to require extensive administrative support and management. The number of eligible students will increase as more schools are identified for improvement, requiring districts to process more applications and, if requests exceed available funds, review student performance in order to give priority to the lowest achieving students. The list of providers is likely to change, requiring new service contracts each year that include payment arrangements and specific achievement goals for each student receiving services. The evaluation component is formidable, something we discuss in another section.

Costs of Supplemental Educational Services

NCLB requires districts to set aside 20% of their Title I, Part A allocation for choice-related transportation and supplemental educational services (Table 9). Districts must spend at least 5% of this set aside on supplemental educational services unless demand is

less than estimated. This set aside cannot be used to cover administrative costs of managing the program. The per-child cost for supplemental educational services is determined by dividing the district's Title I, Part A allocation by the number of children residing within the district aged 5-17 who are from families living below the poverty level (U.S. Department of Education, 2003, August 22).⁴ In the 2002-03 school year, districts could not use the set aside, which was substantial, until after a supplemental service program was in place. While districts could reallocate any unused funds, this money sat unused until late in the school year because most districts did not begin offering a program until January 2003 or later. In Buffalo, a district facing severe financial strain, the set aside meant that some schools were unable to provide tutoring in the fall. According to the superintendent:

One of the things that has been frustrating to us—majorly frustrating—is that Supplemental Services piece because typically we would have been using that money at the end of September. We would have had our thing. We would have had a program. We still don't have anybody going in to provide any extra time or extra help because we had to put it in a set aside and so that money—\$5 million dollars—is sitting unused, for a whole semester and kids aren't getting extra time and extra help in Supplemental Services. (M. Cañedo, personnel communication, February 5, 2003)

Given the low response among students to supplemental services, the set aside requirements meant that large sums of money went unspent until late in the school year. This was the case across all districts and was not resolved by the U.S. Department of Education for the 2003-04 school year. According to the Associate Superintendent for Instruction in Buffalo, the amount of money set aside for supplemental services “seemed excessive based on the number of parents who usually request help for their kids” (district official, personal communication with G. Sunderman, February 6, 2003). These set aside requirements create perverse incentives for districts to use unspent money in instructionally ineffective ways. Since the money was not released until late in the school year, districts could not incorporate the money into a long-term reform strategy. For example, they were unlikely to use it to hire teachers or reduce class size since these kinds of decisions are rarely made at the end of a school year.

⁴ The Title I, Part A allocation includes funds for basic programs operated by the district and allocations to local schools.

Table 9: Title I District Allocations, Choice and Supplemental Service Set Aside, and Maximum Per Child Expenditure for Supplemental Services, in Current Dollars, FY 2002.

District	Title I Allocation, FY 2002	Choice & Supplemental Service Set Aside	Maximum Per Child Expenditure for Supplemental Services
Mesa, AZ	\$ 10,894,656	\$ 2,178,931	\$ 905
Washington, AZ	3,761,149	752,230	802
Fresno, CA	37,360,593	7,472,119	991
Los Angeles, CA	303,003,900	60,600,780	1,037
Chicago, IL	216,575,070	43,315,014	1,322
Buffalo, NY	32,991,900	6,598,380	1,322
New York, NY	633,791,322	126,758,264	1,409
Arlington, VA	2,709,448	541,890	929
Richmond, VA	9,979,219	1,995,844	1,002
Atlanta, GA	34,838,391	6,967,678	1,092
DeKalb, GA	15,057,883	3,011,577	1,046

Source: US Department of Education, ESEA Title I LEA Allocations – FY 2002. Retrieved from <http://www.ed.gov/offices/OUS/TitleLEAs/FY02allocations/> on 8-21-03 and www.ed.gov/about/overview/budget/titlei/fy02 on 12-1-03.

Note: All figures are rounded to the nearest dollar. For New York City, the Title I allocation and set aside is the sum of the allotments made to Bronx County, Kings County (Brooklyn), New York County (Manhattan), Queens County, Richmond County (Staten Island), and the per child expenditure represents an average across the five counties. The Los Angeles Board of Education approved \$953.64 as the maximum per child expenditure (Los Angeles Board of Education Report No. 88 –02/03, March 11, 2003).

District officials were concerned about the total cost of the program to the district as well as the per pupil cost. The law states that districts can reduce the Title I allocation to schools required to offer supplemental services by 15% to meet the set aside requirement. Since the supplemental services allocation is based on the total district Title I allocation, the maximum per child expenditure for supplemental services is greater than the per pupil allocation a school receives to provide Title I services. For example, in Fresno, supplemental services provided \$991 per student whereas the highest poverty school received about \$500 per student in Title I funds. In Richmond, the set aside was \$1,002 per student while the Title I per pupil allocation was \$600, and in Buffalo, the Title I per pupil allocation was \$689 compared to \$1,322 set aside for supplemental services. The Title I per pupil allocation in Chicago, which uses a sliding scale based on a school’s level of poverty, ranged from \$281 in a school with 50% poverty to \$995 for a school with 92.82% poverty compared to \$1,332 for supplemental services. Even though a school would not receive the money that went to pay the service provider, they would still be responsible for providing Title I services during the school day, even for a student receiving supplemental services.

To control costs and manage administrative responsibilities, many of the districts applied to provide their own services (Mesa, Richmond, and Fresno were the exception to this). For example, in New York City district education offices and the central administration

accounted for 18 out of 47 providers. Some districts actively promoted their own program. In Los Angeles, more students chose the district run program—Beyond the Bell—over the other 22 providers with 56.9% of students choosing the district program.⁵ Buffalo was not eligible to become a provider since it was designated a district in need of improvement. However, schools within such a district that have not been identified for improvement could be providers. Buffalo identified three schools not in improvement and one parent center as service providers, which were approved by the state. In DeKalb County, where there was only one other local provider on the state-approved list, the district program provided parents with an option to the local provider. Providing the services themselves offered districts a number of advantages. Since costs were less for districts, students received more services. It was also easier to track district services and, since districts were still accountable for student achievement, their knowledge of the curriculum gave them a distinct advantage over outside providers. However, it runs counter to the goals of earlier Title I legislation, which sought to coordinate the delivery of instruction through schoolwide programs and to make services available in the schools. It also shifts responsibility for providing additional academic instruction and remediation away from local schools to the district.

Coordinating Supplemental Educational Services with the School Curriculum

Many district officials were vague about how they would coordinate the supplemental educational services program with the school curriculum or how communication between the providers and the regular classroom instructors would be maintained. While still in the first year of implementation, some district officials already recognized that the interaction between supplemental services and ongoing programs and curriculum could pose a challenge. District officials from the Washington Elementary School District in Phoenix were concerned that supplemental services were at odds with district and school efforts to develop comprehensive programs for students in high poverty schools. To meet the requirements of the law, the district developed a program that was offered for two hours on Saturday mornings. This was an expedient way for the district to meet the NCLB requirements, yet this centralized program was contrary to district efforts to integrate remediation and extra instructional time into the school day. According to the superintendent:

What we've been working on in our schools is to integrate the remediation and the extra time into the time you have them. And you have to continually do that, so when I talked about those qualities of effective schools, one of our indicators is that you have embedded into your programming a way to give kids more time who need more time. But it's not Saturday school. (T. Reale, personal communication with J. Kim & G. Sunderman, June 16, 2003)

District officials in Buffalo believed that not only would it be harder for students to access services that were not located in the building where the student attended school, but that it would also be difficult to determine how well the provider's instruction

⁵ In 2002-03, 5,830 (56.9%) students chose the district program and 4,417 (43.1%) chose other providers.

coordinated with the regular curriculum and instruction the student received during the day. The district planned to develop a data tracking system based on student assessments to insure that supplemental services improved student achievement. This data would be made available to classroom teachers. Richmond officials said providers were vague about how they would communicate with teachers.

In other districts, officials believed that since providers were required to assess student needs and teach the state standards, students would receive instruction that coordinated with that received in the classroom. For example, the Beyond the Bell program offered by the district in Los Angeles is aligned with the state standards. To facilitate communication, providers in Los Angeles must give classroom teachers copies of student learning plans that providers must develop for each student to guide services, and progress reports that require providers to check a box indicating whether the student is making satisfactory or unsatisfactory progress. There are no mechanisms for providers to receive information from teachers.

CHALLENGES TO EVALUATING SUPPLEMENTAL EDUCATIONAL SERVICES

The administrative and technical challenges to evaluating the effectiveness of supplemental educational services are formidable for local school districts. Local education officials must work with both parents and providers to develop an agreement that sets specific achievement goals for participating students. This agreement must describe plans for evaluating student progress, set a timeline for improving achievement, and provide regular information to parents and teachers about student progress (P. L. 107-110, Sec. 1116(e)(3)). According to the statute, the purpose of these activities is to ensure that supplemental educational services “are of high-quality, research-based, and specifically designed to increase the academic achievement of eligible children...and attain proficiency in meeting the state’s academic achievement standards” (P. L. 107-110, Sec. 1116(e)(12)(C)(ii)). These requirements clearly place enormous burdens on districts to monitor the providers. However, districts receive no additional money to support the administration and evaluation of these programs. Since there are no additional resources for evaluations, the federal requirements create strong incentives for districts to minimize administrative and financial costs by using inexpensive and easy methods for evaluating supplemental education service providers.

The ambiguous and lenient criteria for assessing the effectiveness of supplemental educational services combined with the short implementation timeline meant that most districts had rudimentary evaluation plans in place during the first year. For example, administrative staff in Los Angeles Unified responsible for administering supplemental educational services spent most of their time designing outreach brochures, notifying eligible students, processing applications for services, monitoring learning contracts, tracking attendance in programs, and running the district’s supplemental educational service program. The district did not conduct research on or evaluate the supplemental services programs, in part because they had been serving students for less than one full year. The district planned to partner with some state-approved providers, such as Voyager and Action Learning, to conduct pre- and post-tests for participating students in order to gather data on student learning during their time in the program (district official, personal communication with J. Wing, January 13, 2004). In Richmond, administrators planned to use similar methods. According to one Richmond administrator, since “the law requires a pre and post assessment,” most providers are conducting “a pre evaluation ...[and] a post or exit evaluation” (district official, personal communication with G. Sunderman, May 27, 2003). Chicago administrators were considering evaluations that compared the performance of participating students and a similar group of Title I students who did not receive supplemental educational services (district official, personal communication with G. Sunderman, June 6, 2003). While it is important for districts to monitor both attendance and achievement, it is unlikely that these evaluation plans will provide a true measure of the effectiveness of the program.

Sound and rigorous evaluations require careful planning, time, and adequate money. Indeed, elsewhere in NCLB, the term “scientifically-based research” is mentioned over 100 times, and the statute gives preference to rigorous experimental studies. Yet, no such

requirement is placed on evaluations of supplemental services, making it extremely difficult to evaluate their effectiveness. It will be difficult, if not impossible, to assess the causal impact of supplemental educational services on student achievement because students are not randomly assigned to these programs. The federal law and most state guidelines merely require districts to look at the test score gains of students before and after they receive supplemental educational services.⁶ However, this kind of research design provides the weakest basis for identifying a causal link between the intervention and outcome because it lacks an equivalent comparison group. If researchers attempted to compare outcomes for students receiving supplemental services with a similar group of non-participating students, the findings would be misleading for yet another reason: districts must provide services first to the lowest-performing students from the poorest families. Thus, students receiving services will differ in unseen ways from non-participants even if adjustments are used to ensure that the two groups are comparable. One way to overcome this methodological hurdle is to conduct an experiment in which vouchers for supplemental services are randomly assigned to eligible students. This would be possible in many districts where demand for free tutoring exceeds the supply of available vouchers. However, it would also require that districts receive approval from the U.S. Department of Education, since districts must follow stringent rules for selecting students for supplemental educational services.

There is a direct link between the need for quality evidence of the effectiveness of supplemental services and civil rights, because the participants are overwhelming nonwhite and because there are major costs associated with these programs. In particular, the loss of Title I funding may undercut the ability of high-poverty schools to maintain a financial commitment to a schoolwide program that is intended to benefit all students. Research shows that a school must invest considerable fiscal, administrative, and human resources in faithfully implementing a comprehensive school reform for five or more years before it produces maximum learning gains for students (Borman, Hewes, Overman, & Brown, 2003). If district budgets are reduced up to 20% to support supplemental education services, fewer high-poverty schools will be able to make a sustained commitment to a number of comprehensive school reform programs that have a much stronger track-record of improving children's reading and math skills than supplemental educational services (American Institutes for Research, 1999; Borman & Hewes, 2002).

⁶ For example, the Arizona State Department of Education has a scoring rubric to evaluate the effectiveness of supplemental educational service providers. There are three categories: poor quality (1-4 points), moderate quality (5-7 points), and high quality (8-10) points. Poor quality programs have "little or no evidence to indicate that the program will be monitored for effectiveness." Moderate quality programs have "some evidence provided that the program will be monitored for effectiveness, however there are limited details." High quality programs have "substantial evidence . . . that indicates that each program will be monitored for effectiveness." Under this rubric, providers do not have to perform rigorous experiments and there is no federal guideline stating the quality evidence needed to determine whether a program is "high quality and research-based." See "Supplemental Education Services Provider Applications, Arizona Department of Education" <http://www.ade.az.gov/asd/Title1/SES/>

SUMMARY AND RECOMMENDATIONS

The supplemental educational services provision represents a major tenant of the No Child Left Behind Act. It assumes that competition will produce better educational opportunities for disadvantaged students than the public schools provide and that accountability for individual student achievement will improve the performance of low performing schools. This view has been articulated by federal policymakers (U.S. Department of Education, 2002a), who contend that the “supplemental educational services requirements of the law not only help to enhance student achievement but also provide an incentive for low-performing schools to improve. Schools that want to avoid losing students, not to mention restructuring, will have to do a better job” (p. 9). Yet few researchers have examined the impact of supplemental services on student achievement and school performance. There is no body of research that provides clear and consistent evidence documenting the effect of supplemental educational services on learning outcomes for low-income or minority students. This is ironic given the emphasis in the law on “scientifically based research.”

Our research found that the potential for supplemental educational services to fragment Title I is real and not addressed in the law. Supplemental services revises the direction of earlier Title I legislation that encouraged programs designed to increase curricular and instructional integration. However, under NCLB supplemental services seriously disrupt other school reform efforts by diverting resources away from the most needy schools. There are no mechanisms to hold service providers accountable and no requirements in the law for serious and rigorous evaluations of the effectiveness of the programs. Supplemental services shift the focus from improving poorly performing schools to improving individual student achievement, but only for those requesting services. Combined with the loss of resources, it is unclear how this strategy will improve low performing schools.

Our first year study highlights the enormous administrative burdens districts faced in implementing supplemental education services and the difficulties in assessing the effect of this policy on student achievement and Title I schools. NCLB supplemental educational services placed unprecedented responsibilities on school districts’ operating procedures and shifted responsibility for providing additional educational services from Title I schools to the district. Unlike intra-district choice, which many urban districts adopted prior to NCLB, virtually no public school district had used Title I money to enable the lowest-performing students to receive tutoring services from a for-profit company. To comply with the federal rules governing supplemental educational services, districts provided considerable administrative and managerial oversight of the development and implementation of the program, yet there were no additional administrative funds in Title I to cover these costs. None of the districts in this study had other than rudimentary plans to evaluate the effectiveness of the programs.

Our analysis of student participation in supplemental educational programs during the first year found that demand for services was low, perhaps because the services were offered outside of regular school hours and away from eligible students’ neighborhood

schools. Our data also shows that this provision disproportionately impacts districts serving large numbers of low-income and minority students.

While requests for supplemental services were low in the first year, the demand for free tutoring is likely to increase in most jurisdictions for two reasons: (1) more parents are choosing free tutoring over the transfer option, and (2) the number of students eligible to receive supplemental educational services continues to grow since more schools are failing to make adequate yearly progress and are subject to these federal sanctions. Meeting the growing demand for tutoring will place additional administrative burdens on district officials and further divert resources from schools serving disadvantaged schools. It is unclear how these schools will improve with less rather than more resources.

Policy Recommendations

Whether supplemental educational services ultimately help or hurt the achievement of disadvantaged students is an empirical question that has deep implications for educational equity. For now, better evidence is needed before public dollars are used to support supplemental educational service providers on a large-scale. Given what is not known about supplemental services, scaling up an educational policy with potentially limited benefits for student achievement and serious fiscal consequences for public school districts is not good public policy. We make the following recommendations.

- **The federal government should terminate the supplemental educational services program as a mandated sanction for poorly performing schools.** Until there is solid empirical evidence of its effectiveness, the provision of supplemental educational services should be limited to a series of field trials implemented on a small scale and in a way that does not disrupt other school reform efforts with demonstrated effectiveness.
- **The federal government should fund randomized experiments that assess the effectiveness of supplemental educational services in improving student achievement.** In keeping with the legislation’s focus on “scientifically-based research,” which give preference to randomized experiments, supplemental educational services should be subjected to the same rigorous standards of evidence required of other educational interventions. Evaluations should also assess the costs and benefits of administering supplemental educational services and research should be conducted to identify the best ways to design a program that will insure maximum educational benefit.
- **Policymakers need to revisit the supplemental educational services provision in light of the earlier consensus on the direction of Title I services.** The idea of mechanisms that would integrate the Title I program with the regular school curriculum and give schools greater flexibility in how to use their federal Title I resources has merits and should be strengthened.
- **If the federal government continues requiring supplemental educational services—which we do not recommend—the set-aside should be forward funded.** By forward funding supplemental services, resources would be available for other school reform initiatives at the beginning of the school year

rather than at the end. As we have learned from general funding for Title I, money that comes late in the school year has little value and discourages long term planning. It is essential that the federal government find ways to fund supplemental educational services that do not rely on diverting resources away from the most disadvantaged schools. Punishing schools that serve our most vulnerable students by removing resources is unlikely to help them improve.

APPENDIX

Appendix 1: Number of Title I Schools Identified as Needing Improvement for 2002-03 and 2003-04.

State	2002-03 (Last Updated, June 2003)	2003-04 (Last Updated, December 9, 2003)
Arizona (Source)	399 Personal Communication-Title I	244 http://www.ade.az.gov/profile/publicview/aypschoollist.asp
California (Source)	815 http://www.cde.ca.gov/iasa/titleone/pi/	1,205 http://www.cde.ca.gov/ayp/2003/titleone/titleI_layout.htm
Illinois (Source)	527 http://www.isbe.net/research/reports.htm#Statistics	581 http://www.isbe.net/research/pdfs/2003_StateReport_E.pdf
New York (Source)	434 http://www.emsc.nysed.gov/deputy/nclb/nclbhome.htm	517 http://www.emsc.nysed.gov/deputy/nclb/nclbhome.htm
Georgia (Source)	436 http://www.doe.k12.ga.us/support/plan/nclb.asp	846 http://www.doe.k12.ga.us/support/plan/nclb.asp
Virginia (Source)	34 http://www.pen.k12.va.us/VDOE/src/vasrc-title1.pdf	43 http://www.pen.k12.va.us/VDOE/src/vasrc-title1.pdf

For Table 3, the number of Title I schools identified as needing improvement in each district in the study was extracted from state data files by filtering state lists according to each district's unique identifier code. For Los Angeles, the state identified 102 program improvement schools for 2002-03. However, the district included 106 schools when deciding which schools must offer students the option to transfer or the opportunity to receive supplemental services. This included schools that were later removed from the list of program improvement schools. For Table 4, a similar method was used to identify the number of schools that were required to offer supplemental services. The number of schools required to offer supplemental services is a subset of the number of schools identified for improvement. We computed the total enrollment and number of eligible students for the schools required to offer supplemental services to obtain the figures in Table 5. We also disaggregated these numbers by race/ethnicity to compute the numbers used to create Figure 1.

Appendix 2: Data Sources for Tables 6 and 7.

Data for the number of students eligible for supplemental services was obtained by summing the number of students eligible for free and reduced price lunch in all schools that failed to make adequate yearly progress for three consecutive years and thus were in their second year of school improvement. We verified this information by cross checking our numbers with multiple sources of data, including information provided by district officials (in direct communication) and from newspaper articles. Where data from multiple sources conflicted, the authors cited the data deemed most reliable. Data obtained directly from the districts or arrived at by using data provided by the districts was given more weight than data provided by media sources. For Los Angeles, New York, and Atlanta, the data cited was provided directly by district officials. For the other districts, the reported data was calculated using the number of students eligible for free and reduced price lunch enrolled in eligible schools. The following discrepancies are noted.

The *Fresno Bee* reported that approximately 17,000 students were eligible in Fresno.⁷ Summing the enrollment data for all schools in Fresno that failed to make adequate yearly progress for three consecutive years and thus were in their second year of school improvement produced a figure of 16,831 eligible students.

The Los Angeles Unified School District reported that 164,434 students were eligible in Los Angeles.⁸ The *Los Angeles Times* also reported this number.⁹ Summing the number of students eligible for free or reduced price lunch in all schools in Los Angeles that failed to make adequate yearly progress for three consecutive years and that were in their second year of school improvement produced a figure of 165,257 eligible students.

The *Chicago Sun-Times* reported that 17,000 students were eligible in Chicago.¹⁰ Summing the number of students eligible for free or reduced price lunch in all schools in Chicago that failed to make adequate yearly progress for three consecutive years and were in their second year of school improvement produces a figure of 17,455 eligible students.

New York City Department of Education reported that 243,249 students were eligible in New York City.¹¹ The *New York Times* confirmed this number.¹² Summing the number of students eligible for free or reduced price lunch in all schools in New York City that failed to make adequate yearly progress for three consecutive years and thus were in their second year of school improvement produces a figure of 224,644 eligible students.

⁷ Ellis, A.D. (2002, November 30). Few take part in Fresno tutoring program; Many more eligible to take part in No Child Left Behind. *The Fresno Bee*, p.A1.

⁸ B. Robinson (personal communication, January 13, 2004).

⁹ Helfland, D. (2003, September 23). L.A. schools promote free tutoring for some students. *The Los Angeles Times*, p. 4

¹⁰ Rossi, R. (2003, March 19). Chicago students to get private tutors. *The Chicago Sun-Times*, p. 16.

¹¹ M. McManus (personal communication, December 16, 2003)

¹² Gross, J. (2003, August 29). Free tutoring reaches only a fraction of students. *The New York Times*, p. A1.

Atlanta Public Schools officials reported that 4,249 students were eligible in Atlanta.¹³ This number was confirmed on the Atlanta Public Schools' web site.¹⁴ Summing the number of students eligible for free or reduced price lunch in all schools in Atlanta that failed to make adequate yearly progress for three consecutive years and thus were in their second year of school improvement produces a figure of 13,448 eligible students. The *Atlanta Journal Constitution* reported that 13,005 students were eligible in Atlanta.¹⁵

The *Atlanta Journal Constitution* reported that 10,571 students were eligible in DeKalb County.¹⁶ Summing the number of students eligible for free or reduced price lunch in all schools in DeKalb that failed to make adequate yearly progress for three consecutive years and thus were in their second year of school improvement produces a figure of 9,355 eligible students.

Data for the number of requests for supplemental educational services was obtained from interviews and personal communication with district staff. Mesa Public Schools reported that 2 students requested services.¹⁷ Washington Elementary School District reported that 20 students requested services.¹⁸ Fresno Unified School District reported that 234 students requested services.¹⁹ The *Fresno Bee* reported that 227 students requested services in Fresno.²⁰ For the Los Angeles Unified School District, we calculated that 11,518 students requested supplemental services using data provided by the district.²¹ The *Los Angeles Times* reported that approximately 10,000 students requested services in Los Angeles.²² The *Los Angeles Daily News* reported that approximately 12,000 students requested services in Los Angeles.²³ Chicago Public Schools reported that 1,400 students requested services.²⁴ Our finding that 849 students requested services in Buffalo was contained in correspondence received from the Buffalo Public Schools.²⁵ New York City Department of Education reported that 30,349 students requested services.²⁶ Richmond Public Schools reported that 600 students requested services.²⁷ Atlanta Public Schools

¹³ S. Coleman (personal communication, December 5, 2003)

¹⁴ Talk Up Atlanta: Read the Facts about No Child Left Behind in APS.
<http://www.atlanta.k12.ga.us/news/goodnews/121703a.html>

¹⁵ Ghezzi, P. (2003, April 4). Slow start for 'No Child' law. *The Atlanta Journal-Constitution*, p. 1A.

¹⁶ Ghezzi, P. (2003, April 4). Slow start for 'No Child' law. *The Atlanta Journal-Constitution*, p. 1A.

¹⁷ J. O'Reilly (personal communication, June 17, 2003)

¹⁸ J. Sullivan (personal communication, June 16, 2003)

¹⁹ B. Bengel (personal communication, July 31, 2003)

²⁰ Ellis, A.D. (2002, November 30). Few take part in Fresno tutoring program; Many more eligible to take part in No Child Left Behind. *The Fresno Bee*, p.A1.

²¹ B. Robinson (personal communication, January 13, 2004)

²² Helfland, D. (2003, September 23). L.A. schools promote free tutoring for some students. *The Los Angeles Times*, p. 4.

²³ Gao, H. (2003, September 19). Thousands ignore chance for kids to get free tutoring. *The Los Angeles Daily News*.

²⁴ E. Collier (Personal communication, June 27, 2003)

²⁵ A. Turley letter to New York State Education Department (September 5, 2003)

²⁶ M. McManus (personal communication, December 16, 2003)

²⁷ E. Scott (personal communication, May 27, 2003)

reported that 2,380 students requested services.²⁸ DeKalb County Public Schools reported that 575 students requested services.²⁹

The percentage of student requesting supplemental services were calculated using the number of students requesting services and the number of students eligible for services. Both the Associated Press³⁰ and the *New York Times*³¹ reported that 12.5 percent of the eligible students in New York City received supplemental services.

Data for the number of students who received supplemental services was obtained from personal communication with district staff. Mesa Public Schools reported that 2 students received services.³² Washington Elementary School District reported that 20 students received services.³³ Fresno Unified School District reported that 36 students received services.³⁴ Los Angeles Unified School District reported that 10,247 students participated.³⁵ Chicago Public Schools reported that 850 students received services.³⁶ Our finding that 573 students received services in Buffalo was contained in correspondence received from the Buffalo Public Schools.³⁷ New York City Department of Education reported that 30,349 students received services.³⁸ The *New York Times* initially reported that 30,333 students requested services³⁹ and later reported that 30,359 students received services⁴⁰ in New York City. Richmond Public Schools reported that 122 students received services.⁴¹ Atlanta Public Schools reported that 2,380 students received services.⁴² The *Atlanta Journal-Constitution* reported that 373 students had received services in Atlanta.⁴³ DeKalb County Public Schools reported that 575 students received services.⁴⁴ The *Atlanta-Journal Constitution* confirmed that 575 students received services in Atlanta.⁴⁵ The percentage of students receiving services were calculated using the number of students receiving services and the number of students eligible for services.

Note: Arlington, VA had no improvement schools.

²⁸ S. Coleman (personal communication, December 5, 2003)

²⁹ P. Speaks (personal communication, February 14, 2003)

³⁰ More students have signed up for free tutoring, officials say. (2003, November 6). The Associated Press.

³¹ Gross, J. (2003, November 6). Free tutoring is reaching more students in the system. *The New York Times*, p. B8.

³² J. O'Reilly (personal communication, June 17, 2003)

³³ J. Sullivan (personal communication, June 16, 2003)

³⁴ B. Bengel (personal communication, July 31, 2003)

³⁵ B. Robinson (personal communication, January 13, 2004)

³⁶ E. Collier (Personal communication, June 27, 2003)

³⁷ A. Turley letter to New York State Education Department (September 5, 2003)

³⁸ M. McManus (personal communication, December 16, 2003)

³⁹ Gross, J. (2003, August 29). Free tutoring reaches only a fraction of students. *The New York Times*, p.A1.

⁴⁰ Gross, J. (2003, November 6). Free tutoring is reaching more students in the system. *The New York Times*, p. B8.

⁴¹ E. Scott (personal communication, May 27, 2003)

⁴² S. Coleman (personal communication, December 5, 2003)

⁴³ Ghezzi, P. (2003, April 4). Slow start for 'No Child' law. *The Atlanta Journal-Constitution*, p. 1A.

⁴⁴ P. Speaks (personal communication, February 14, 2003)

⁴⁵ Ghezzi, P. (2003, April 4). Slow start for 'No Child' law. *The Atlanta Journal-Constitution*, p. 1A.

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