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**EIA Welcomes U.S. Secretary of Education's Support for Supplemental Educational Services,  
Cautions on Widespread Granting of Waivers to School Districts for ARRA funding**

**WASHINGTON, DC—April 2, 2009** – The Education Industry Association (EIA) today welcomed U.S. Secretary of Education Arne Duncan's broad support for the supplemental educational services (SES), but called on him to apply specific conditions on school districts that are granted waivers from some SES provisions.

Reacting to yesterday's release of a letter by Duncan to the nation's chief state school officers, EIA Executive Director Steven Pines said, "EIA members, many of whom have been providing high-quality SES services for years, are pleased that Secretary Duncan signaled his support for SES, citing his positive experience with after-school tutoring during his tenure as chief of the Chicago Public Schools. We are also pleased that the Secretary reinforces regulations promulgated by his predecessor requiring increased monitoring by States and that school districts demonstrate they have fully acted to meet demand for SES before they are permitted to use SES set-aside funding for other purposes.

EIA is concerned that waivers may be granted to the use of SES funds under ARRA in districts where there is unmet need for tutoring services as documented by waiting lists in this current school year. "Families have literally lined up for after school tutoring but have been told there is no more funding. In these communities, we cannot fathom the Department letting these families continue to be denied access to tutoring when new ARRA funds will soon flow into district coffers", remarked Pines.

At the same time, the EIA is concerned that Secretary Duncan's invitation to school districts in need of improvement to apply for waivers from current regulations barring them from becoming SES providers does not include any pre-conditions for such waivers. Pines says, " While our members welcome competition, we hope the Secretary will place conditions on school districts to ensure a level and fair playing field and avoid all conflicts of interests of the likes we have seen in several of the pilots over past years."

In particular, Pines said Secretary Duncan should provide the following conditions to the granting of a waiver to a school district in need of improvement:

- A policy to ensure equal access to school facilities for all SES providers, which would ensure that any facility usage fees charged by the district are on the same terms and conditions applied to all community organizations that use public school buildings, regardless of the purpose or type of organization (non profit/for-profit/Faith-based).

- A requirement for states to identify a third party entity to oversee the program in any instance where the district itself is a provider. This state-designated entity, including the state itself, will develop rules for resolving conflict of interest complaints and State oversight of the district enrollment/provider-student acquisition and program delivery process.
- A requirement that districts to partner with outside groups to help inform students and parents of the opportunities to receive SES.
- Procedures and timelines that provide parents early notice, informed choice and a streamlined registration process with at least two enrollment windows during the year;
- A requirement that SES be offered during the summer time.
- Prior to the roll-over of any unused funds, the district shall report to the State that it has met these conditions.

### **About the Education Industry Association**

The Education Industry Association works to expand educational opportunities and improve student achievement for learners of all ages by infusing American education with market-based drivers of service, innovation, and results. Founded in 1990, EIA is the leading trade association for private providers of education services, suppliers, and other private organizations in all sectors of education. EIA currently has more than 600 individual and corporate members. For more information call EIA Executive Director Steven Pines at 800-252-3280 or visit [www.educationindustry.org](http://www.educationindustry.org).