


Nancy S. Grasmick
State Superintendent of Schools

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MEMORANDUM

To: Maryland SES Providers

From:  Maria E. Lamb, Director
Program Improvement and Family Support Branch

Date: June 3, 2008

Re: New Procedures for Advertising SES Programs - State Approval Requirements

The Maryland State Department of Education (MSDE) expressly prohibits Supplemental Educational Services (SES) providers from advertising, offering, or distributing incentives, other than items of nominal costs, to parents or students in Maryland's public school systems in an effort to enhance recruitment or encourage SES participation. Incentives of any kind for school system staff are prohibited. Despite these prohibitions, concerns about the advertising and offering of incentives continue to be raised by Local Education Agency staff, school employees, and SES providers.

To address continuing incidents and concerns regarding the offering of expensive incentives, beginning in school year 2008-2009, MSDE will require SES providers to obtain prior approval for all advertisements and marketing products they plan to distribute during the school year, including for summer sessions, when applicable. In addition, State-approved providers will be required to sign a revised *Code of Professional Conduct and Business Ethics* that limits the costs for items that providers offer to no more than five dollars and describes the circumstances in which these items may be offered (see attachment).

This serves as notification of the new approval process for all provider advertisements. Approval of advertisements will be required annually and only MSDE-approved advertisements and marketing products may be used by providers. MSDE-approved materials for each provider will be posted on the State Department of Education's SES web page for viewing by parents, school personnel, Local Education Agencies, and the general public. The posted documents will allow MSDE to monitor providers' compliance with the ban on offering items more expensive than policy allows or for prohibited activities.

This new procedure includes advertisements that are to be distributed through any and all media -- visual, auditory, or both. The procedure applies to materials to be distributed in any format, including hard copy as well as those that will be distributed electronically.

The review and approval process for advertisements will be conducted using the following procedures:

1. From July 1, 2008, but no later than 2:00 p.m. on August 1, 2008, MSDE must receive two copies of all materials that providers plan to use to market their SES programs for the upcoming year. These materials must be submitted as hard copy versions and on CD if an electronic version will be used.
2. MSDE will notify providers of approved advertisements/products in writing by August 19, 2008.
3. Providers will submit a CD or flash drive of the text of approved advertisement(s) by August 22, 2008 and this text will be posted on the MSDE web page for the Supplemental Educational Services program by August 29, 2008.
4. MSDE will return advertisements/products that are not approved to providers by August 22, 2008, with recommendations for revisions based on non-compliance with State or Federal laws, policies, or guidance.
5. Provider revisions must be received by MSDE by August 28, 2008. Two hard copies of the revised text, and a CD of the text, if it is to be distributed electronically, are due by 2:00 p.m. on this date.
6. MSDE will conduct a final review and communicate the State's approval or denial of approval of revised materials to providers in writing by September 9, 2008.
7. Providers will submit a CD or flash drive of the approved revised text by September 12, 2008.
8. Revised materials that are approved will be posted to the MSDE web page for the Supplemental Educational Services program by September 20, 2008.

Materials not approved shall not be used by providers. Use of materials that have not been approved by MSDE may result in sanctions to providers that could include removal from the State's approved provider list.

The review schedule for the 2009-2010 school year will be sent to providers by June 1, 2009.

MEL/MMC/tsl

c: Mary Cross
Carol Crouse
Geri Taylor Lawrence
Maryland Local Education Agencies