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MEMORANDUM

To: Current Maryland SES Providers

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

Date: June 15, 2009

Re: 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 (See the attached Code of Professional Conduct). 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, MSDE requires SES Providers to obtain prior approval for all advertisements and marketing text they plan to distribute during the school year, including for summer sessions, when applicable.

This serves as notification of the approval process for current Provider advertisements for the 2009-2010 school year. Approval of advertisements is required annually and only MSDE-approved advertisements and marketing materials 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 allow MSDE to monitor providers' compliance with the ban on offering items more expensive than policy allows or for prohibited activities.

This 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.

Any Provider who does not choose to submit advertisements may opt to use their program's description in the organization's RFQ proposal, which is posted on the MSDE web page, or the description drafted by the local school district in which the organization plans to serve.

Please complete the attached SES Advertising Plan Form for the 2009-2010 School Year and return it to let MSDE know your plans for advertising during the 2009-2010 school year. Email the signed form to Dr. Mary Cross, SES Coordinator, at mcross@msde.state.md.us or fax it to (410) 333-8010 by June 22, 2009.

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

1. From June 17, 2009, but no later than 2:00 p.m. on July 7, 2009, MSDE must receive two copies of all materials that providers plan to use to advertise their SES programs for the upcoming year, including materials that are to be used in summer SES programs during 2010. These materials must be submitted as hard copy versions and on a CD or flash drive if an electronic version will be used.
2. MSDE will notify providers of approved advertisements in writing by August 3, 2009.
3. Providers will submit a CD or flash drive of the text of approved advertisement(s) by August 7, 2009 and this text will be posted on the MSDE web page for the Supplemental Educational Services program by August 14, 2009.
4. MSDE will return advertisements/products that are not approved to providers by August 7, 2009, with recommendations for revisions.
5. Provider revisions must be received by MSDE by August 17, 2009. 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 August 31, 2009.
7. Providers will submit a CD or flash drive of the approved revised text by September 4, 2009.
8. Revised materials that are approved will be posted to the MSDE web page for the Supplemental Educational Services program by September 14, 2009.

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 2010-2011 school year will be sent to providers by June, 2010.

MEL/MMC/tl

c: Mary Cross
Geri Taylor Lawrence
Maryland Local Education Agencies

**SES Advertising Plan Form for the 2009-2010 School Year
Current Maryland Providers**



Company/Organization Name: _____

For the 2009-2010 school year, my organization will:

- Submit new and/or updated advertising materials for MSDE review.
- Use currently approved and posted advertising materials
- Only use the SES program's description which is in my approved RFQ proposal.
- Use no advertising during the 2009-2010 school year.

Signature _____ Date _____