

North Dakota Department of Public Instruction
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Progress Reports Individual Student Agreements

The ESEA requires that a local educational agency (LEA) enter into an agreement with each SES provider chosen by a parent. Among other requirements for the agreement, the statute: “require[s] the local educational agency to develop, in consultation with parents (and the provider chosen by the parents), a statement of specific achievement goals for the student, how the student’s progress will be measured, and a timetable for improving achievement.” ESEA section 1116(e)(3)(A).

As this statutory language makes clear, it is the LEA’s responsibility, and not the responsibility of the provider, to ensure that an agreement is completed for each student participating in SES and that each agreement contains the information required under the statute. However, an LEA and a provider may agree that the provider will complete, on behalf of the LEA, the agreement for each student the provider serves. An LEA cannot require a provider to develop the agreements for the students it serves, absent the provider’s consent. Ultimately, the LEA maintains final responsibility for reviewing and approving all agreements developed by providers, and for making sure that all agreements whether developed by the LEA itself or by a provider on behalf of the LEA, are complete for all students participating in SES and contain all required information.

- ❑ In consultation with parents, provide specific achievement goals for each student
- ❑ Describe how the student’s progress will be measured
- ❑ Provide a timetable for improving achievement that is consistent with an IEP (if applicable)
- ❑ Describe how the student’s parent and the student’s teacher(s) will be regularly informed of the student’s progress
- ❑ Provide for the termination of such agreement if the provider is unable to meet such goals and timetables