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A Lucrative Brand of Tutoring Grows Unchecked

By SUSAN SAULNY

Propelled by the No Child Left Behind law, the federally financed tutoring industry has doubled in size in each of the last two years, with the potential to become a \$2 billion-a-year enterprise, market analysts say.

Tutors are paid as much as \$1,997 per child, and companies eager to get a piece of the lucrative business have offered parents computers and gift certificates as inducements to sign up, provided tutors that in some cases are still in high school, and at times made promises they cannot deliver.

This new brand of tutoring is offered to parents by private companies and other groups at no charge if their children attend a failing school. But it is virtually without regulation or oversight, causing concern among school districts, elected officials and some industry executives. Some in Congress are calling for regulations or quality standards to ensure that tutors are qualified and that the companies provide services that meet students' needs.

"The potential here is unbelievable, and it's not being regulated by the states or the Education Department," said Patty Sullivan, the director of the Center on Education Policy, a Washington-based research group that released a study in late March examining the tutoring programs. "We're pouring a lot of money into it, and we're not sure it works. To the extent that it is going to grow, we've got to get a handle on it."

Critics are particularly concerned about aggressive marketing tactics, like the offers of computers, gift certificates and basketball tickets, though they acknowledge that such practices do not violate the law.

Students are not required to enroll in a tutoring program. The option is merely offered at poor schools that have been deemed "failing" for two years in a row. But because families can choose from a list of state-approved providers, some tutoring groups have reacted by engaging in aggressive solicitations.

School officials in Clark County, Nev., the district that includes Las Vegas, had to call security to remove tutoring providers from a school where they were soliciting families too aggressively, the Center on Education Policy found in its report. The parents, many of whom did not speak English, said they felt that they were being pressured to sign things against their will, according to the official who called the school police.

In New York City, where more than 81,700 students are being tutored, complaints about inappropriate incentives led officials to start an inquiry into all the providers about six months ago. It is expected to be completed by the summer.

The law's silence on such issues is not an oversight.

"We want as little regulation as possible so the market can be as vibrant as possible," Michael Petrilli, an official with the federal Education Department, told tutoring company officials at a recent business meeting organized by the education industry.

In fact, hundreds of new companies and community groups have been established to take advantage of the law, joining more established names in test preparation and tutoring like the Princeton Review, Kaplan and the Huntington Learning Center. Across the country, there are more than 1,800 "supplemental educational services providers," as they are called in the law.

Experts say these groups will earn as much as \$200 million this school year, with about 30 percent of that going to the big national companies. And the revenue is only expected to grow, as more schools are labeled as failing under national law and more parents take advantage of tutoring programs. Only about 11 percent of eligible students are now being tutored.

Experts point to the potential for fraud as a major issue. But so far, most of the problems reported appear to reflect poor management. In March, for instance, the Chicago school system asked Platform Learning Inc., the nation's largest federally financed tutoring company, to leave seven of its schools because of numerous lapses - including repeated absences by tutors - leaving hundreds of struggling students without extra help just before the Illinois Standard Achievement Test.

In one incident at the Spry Community School on the West Side of Chicago, six Platform tutors did not show up for work one day, and about 70 students wound up watching the movie "Garfield" instead of studying reading and math.

Gene Wade, the chief executive of Platform Learning, which was created two years ago with the sole purpose of doing business under the new federal law, attributed the problems to "logistical and operational hiccups" inherent in tutoring nearly 14,000 students across the city.

But beyond such issues, there has yet to be a scientific national study judging whether students in failing schools are receiving any academic benefit from the tutoring.

"There's a requirement in No Child Left Behind that teachers must be highly qualified, but they didn't apply those same standards to supplemental service providers," said Gail L. Sunderman, a Harvard researcher who is writing a book on the tutoring program. "There's a lower standard. The people coming in aren't familiar with the schools, students or the curriculum."

At the business conference held in Washington in March, a gathering of the Education Industry Association, Representative George Miller of California, the ranking Democrat on the House Committee on Education and the Workforce, urged tutoring providers to take a proactive approach in protecting themselves.

"History is, when you put this kind of money on the street, you get a lot of suede-shoe operators," Mr. Miller, a co-author of No Child Left Behind, told the group in his keynote address.

Yvonne Jones, the mother of an eighth-grade student at an East Harlem junior high school, said she could have benefited from more exacting standards. She was shocked that after one month of tutoring, her daughter arrived home with a letter from Interfaith Neighbors, a state-approved group, saying it was closing its doors.

"The site that I chose, they just shut down on me," Ms. Jones said. "They said it was money. I don't know what happened."

Shirlene Little, the PTA president at Middle School 222 in the Bronx, took her son - an eighth-grade student who needed help in math - out of a program run by the Eastside House Settlement because she thought the tutors were not qualified.

"The only thing he seemed to do was cut up and play," Ms. Little said.

Earlier this year, the Education Industry Association drafted a code of ethics that it has urged tutoring companies to adopt. Many have done so, as has the State of New Jersey.

While it does not address student achievement, the code does advise companies against offering or accepting illegal payments, misrepresenting their programs and offering students any form of incentive for signing up, among other things.

"We asked the feds for some language or guidance; they said it was a state function," said Judy Alu, New Jersey's federal tutoring coordinator. While searching for standards, Ms. Alu said state officials came across the association's code, and liked it.

Suzanne Ochse, the director of Title I programs in New Jersey, said: "What really prompted this is that we were getting reports that some providers were offering signing bonuses. We decided this is not professional sports, and that signing bonuses were not the appropriate way to register students in an educational tutoring program."

Mr. Wade of Platform Learning embraced the code and said the field could use even more guidance.

"What's missing in our industry is this: a yardstick," he said, adding: "If this industry is going to evolve and be accepted, we're going to have to build some standards. We have to be able to say, 'Here's what success is.'"

Tutoring providers must win approval from state officials before they can seek business. The federal law offers some guidance: states should only accept groups that are financially sound and have a proven record of effectiveness, as defined by the states. And they are required to evaluate providers after two years to ensure that some academic improvement has occurred.

States can remove poor-quality tutors, but only a handful of states have even begun to develop a method for evaluating the services.

Louisiana is one of the few states that has made progress, with a system that allows for real-time monitoring of tutors, who must sign on to a computer system at the beginning of every session and summarize what they accomplished at the end. In addition, state officials make unannounced spot-checks.

"We're hoping to get an idea of how many hours of service it takes to get an impact on student achievement," said Donna Nola-Ganey, an official with Louisiana's Department of Education.

Peter Beller contributed reporting for this article.