

POLICY ISSUE BRIEF: PRIVATE INSTRUCTIONAL SERVICES

Issue at a Glance

Proponents of privatization of educational services believe a private organization or business is sometimes better equipped and more cost effective to improve teaching and learning. The trend to privatize instructional services has occurred in traditional classrooms as well as in after-school, alternative, and tutoring programs. Under the Every Student Succeeds Act (ESSA), states can reserve 3% of their Title I funds for Direct Student Services (DSS), in addition to the 7% set-aside reserved for school improvement activities that can also be used for DSS. Providers of DSS may be nonprofit or for-profit organizations. The process for providing DSS under ESSA is as follows:

1. States consult with districts to determine if reserving 3% of Title I funds for DSS is beneficial for schools and students.
2. The state develops an application plan for districts seeking to receive an award. Districts will then need to apply for an award of funds providing states with important information on how the district will provide and maintain their DSS.
3. The state will then award competitive grants to districts.
4. Districts choose what type of DSS they will offer. Options include public school choice, accelerated learning, and high-quality tutoring.
5. Districts will then identify eligible DSS providers. These could include community colleges or other higher education institutions, a local education agency, non-public entities, or community-based organizations.
6. Families of eligible students will select what type of DSS.
7. States and districts will work together to provide oversight of DSS providers.

As states and districts continue to offer DSS, both must be vigilant in avoiding issues that similar programs faced under No Child Left Behind (NCLB). Under NCLB, districts in need of improvement were required to offer supplemental education services (SES), which are very similar to DSS. Data later showed that SES faced many problems with their overall availability for students, coordination and communication with schools, lack of quality control, and lack of proven effectiveness in advancing student achievement.

NASSP Position

- Private service providers must be used primarily to address student learning.
- Decisions about how schools are structured and run must remain in the hands of communities, school boards, principals, and other school staff. In effect, there must always be public accountability.
- Organizations outside of the school and school district that provide services for pay must have a record of accomplishment.
- NASSP is opposed to the expansion of private school voucher programs that will undermine support of public schools which educate 90% of all American children but supports public school choice such as magnet schools and open enrollment.
- NASSP does not support the transfer of public funding from public school accounts to private service providers.
- NASSP has separate policy issue briefs on [Private School Vouchers](#) and [Charter Schools](#) with additional recommendations on related issues.

Recommendations for Federal Policymakers

- Regularly involve districts, in consultation with principals, teachers, parents, and the community, in determining whether federal funds should be reserved for DSS.
- Develop statewide applications that target resources and incentivize performance-based practices that have a record of improving student achievement.
- Ensure federal and statewide benchmarks are clearly set to aid districts in identifying low-performing providers. These benchmarks could also be used to establish a pay-for-performance funding mechanism where DSS providers agree to be paid only upon reaching these benchmarks.
- Funds for any state, local, corporate or individual private service shall not shift funding from public schools or public education PreK-12.
- All private instructional education services and systems must be held to the same standards of accountability as public schools, and they must provide equal access and eligibility opportunities for all students no matter the demographics, most specifically for low-income students and students with disabilities.
- All private instructional services and systems must provide protections and appropriate services for students with disabilities.
- Private instructional services should be regulated to prevent predatory practices and proper state credentialing of educators and teachers.

Recommendations for Districts Leaders

- Include input from a variety of stakeholders, including principals, teachers, parents, and community members when providing feedback to the state on the potential use of federal funds for DSS.
- Issue a request for proposal (RFP) designed to attract the widest variety of applicants when seeking to provide private services.

- Provide an open and cooperative process for reviewing DSS providers. These reviews should be based on student achievement as measured by the achievement instruments used by the school district.
- Ensure that all privatization agreements follow the same local, state, and federal laws and regulations required of public schools, especially on certification and professional development of school staff, diversity of student population, special services to students, and funding.
- Hold private DSS providers accountable for student progress and ensure these results are shared with the public.

Recommendations for School Leaders

- School leaders of any system can seek professional development and training from [NASSP Academy](#), which has an interactive e-learning platform built by school leaders for school leaders, designed specifically for principals and assistant principals. The Academy provides training and courses that directly focus on career-connected and work-based learning for sustainable school improvement that benefits all students.
- Participate in [NASSP's Leadership Networks](#) to further develop peer-to-peer support, build innovative initiatives, receive the latest training and best practices in areas such as advocacy, school safety, trauma-informed instruction and services, and mental health supports for school leaders, staff and students, education technology and artificial intelligence.
- Seek out advocacy and policy development support from the NASSP Policy and Advocacy team at advocacy@nassp.org.