



**THE SCHOOL BOARD OF SARASOTA COUNTY, FLORIDA**

**Academic Intervention Programs**

State and Federal Projects

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Academic Tutoring Services  
c/o Joseph Grossman  
524 Buena Vista Ave.  
Santa Cruz, CA 95062

February 25, 2009

**RE: Termination of Academic Tutoring Services (FL DOE Provider Number 0404) Title I  
SES contract with Sarasota County School Board**

Dear Mr. Grossman,

We have had several compliance issues with Academic Tutoring Services, FL DOE provider number 0404. For each issue numerous communication requests were sent via phone and email from this office. A final notice was sent on December 4, 2008 advising that contract termination would begin on December 12, 2008 unless all issues were resolved. Those issues were resolved within the deadline with the agreement that they would not occur again. We are terminating the contract as of February 28, 2009 due to further repetition of the same non-compliance issues.

The following breach of contract issues have contributed to the termination:

Tutoring is not billable until after the parent has signed the Cayen Student Learning Plan (SLP). (See district contract page 2, section 2 D.) We have received January attendance records for invoicing purposes for a student for whom the Cayen SLP was submitted on 1/27/2009 and denied on 1/31/2009. There has been no resolution of the denied SLP, yet the attendance records were submitted for processing of payment.

As of February 19, 2009, the attendance records have not been received by the site coordinator in order to approve the attendance for January, which allows the invoice to be approved and processed. Invoices are due to the district on the tenth of the month. (See district contract page 2, section 2 F.)

Our deadline for receipt of invoice is the 10th of the following month. (See district contract page 2, section 2 F.) The December invoice was only received on January 21, 2009. As of February 19, the attendance is still outstanding, which means the invoice cannot be completed. No invoice was paid for October or November due to non-compliance issues.

The Cayen attendance records for January 2009 have not been adjusted to comply with district requirements. (See district contract page 7, section W.) The Cayen system has not been used consistently and tutoring was started before the SLP was approved by the school coordinator.



No students assigned to Academic Tutoring Services have been processed properly and tutoring started within the 20 day deadline as required by the district contract. (See district contract pages 5 & 6, section L and M.)

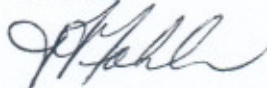
The previous district-provider communication included problems around use of Cayen and timely processing: *"Two other students were placed on 10/14/08 and 10/20/08 and as of December 4, no SLP was input into the Cayen system for district approval. No communication was received to indicate any contact problems.*

*One student was enrolled on 10/20/08 and the SLP was approved in the Cayen system but no parent signature was indicated in Cayen, which is another contract requirement before tutoring can begin. Our facilitator observed the tutoring for this student, and the tutor did not have the official SLP but a modified form of an IEP. This indicated that the provider was not consistently using the Cayen system as required by our contract and not following the terms of the contract, which requires parent signature before tutoring begins. We had requested the signed SLP since mid November."*

We understood this issue had been corrected, but as mentioned, Academic Tutoring Services has once again begun tutoring a student without completing the process in the Cayen system as required in our contract. (See district contract page 7, section W.)

Of the eight students enrolled with Academic Tutoring Services, four have been transferred and two have been withdrawn. The remaining two students will be transferred to another provider for the remainder of their hours based on parent consultation with this office.

Sincerely,



Jane Mahler, Supervisor  
Office of State and Federal Projects  
Sarasota County School Board