Paying for Access: Are Tutoring Contracts Focused on the Right Things?

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State and district contracts for academic interventions need incentives to make sure students get the help they need.
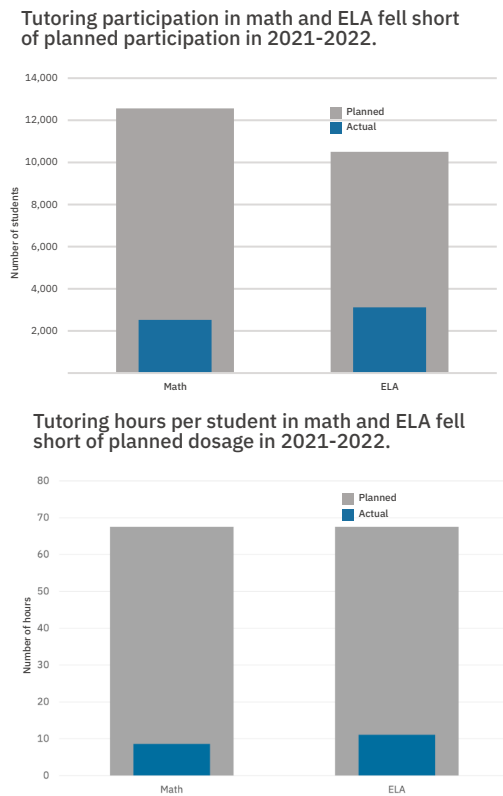
As school systems work to recover from COVID-19 learning losses, they face two linked problems. First, the pace of recovery is slow; in many places, achievement has yet to return to pre-pandemic levels (Fahle et al., 2023; Goldstein, 2023 June 21; Raymond 2023). Second, they are struggling to deliver academic interventions at the scale and strength required for all the students who need help to catch up.

In too many cases, school districts are struggling to reach all the students they want to help. For example, when we examined academic recovery in 12 districts during the 2021-2022 school year, we found far fewer students were receiving academic interventions than were called for in the districts' intervention plans. We defined recovery interventions as programs that were new or had expanded since the pandemic, were supported by ESSER funds, and offered extra supports beyond what students received in their regular classrooms. To learn about recovery interventions, we conducted semi-structured interviews with 68 central office and program leaders. The interviews focused on the type of program (e.g., tutoring, virtual learning), its content (reading, math), intensity (sessions per week), dosage (minutes per session), duration, delivery mode (in-person), and student eligibility criteria. Later, we collected data on program enrollment and participation. Together, these data revealed a large gap between the number of students districts hoped to serve with interventions and the number who received them.

Figure 1 illustrates the point using data from one district in the study. In first chart, the gray bars show the number of students eligible for tutoring in the 2021-2022 school year (these students qualified for tutoring because they had low scores on achievement tests). The smaller blue bars show the number of students who received tutoring. In math, of the 12,500 students in the district who qualified for tutoring, 2,500 received it. In reading, of the 10,500 who qualified, 3,100 received it. The second chart uses

the same format but shows the planned and actual *hours* of tutoring per student (for those who received tutoring). Again, the actual amount is far less than what the district planned. Instead of the planned 68 hours per year of tutoring, the district delivered, on average, 9 hours of tutoring in math and 11 hours of tutoring in reading.

Figure 1. Tutoring implementation falls short: A district example.

Tutoring participation in math and ELA fell short of planned participation in 2021-2022.

Tutoring hours per student in math and ELA fell short of planned dosage in 2021-2022.

The district in Figure 1 is not alone. In another district we studied, only 30% of students who qualified for extra tutoring received it, with tutoring sessions that, on average, totaled 10 to 12 hours per year, rather than the planned 30 hours. Across the study, we did not find any district where the amount of intervention delivered reflected the original plan.

Delivering extra supports to students is not just a problem for district-run programs. Private vendors with state and district contracts to offer opt-in tutoring—especially virtual tutoring—are also falling short on take-up (Belsha, 2022 November 17; Robinson, Bisht, & Loeb, 2022), leading some states to cancel multimillion-dollar contracts (Belsha 2023 March 17). And utilization is not just a problem for tutoring. Some districts have struggled to recruit and maintain enrollment in summer programming (Pomeroy, 2022 August 8), although recent news accounts suggest that New York City has more summer school applicants than slots (Amin, 2023 May 24).

What's Going On?

Our 12-district study and other research suggests districts struggled to deliver academic interventions during the pandemic for several reasons. On the supply side, scheduling staffing interventions during the school day presents major challenges (Carbonari et al., 2022). School schedules are packed; finding the time, space, and staff is difficult—that was especially so amid the chaos of the 2021-2022 school year that included COVID-19 disruptions and culture war dustups over masking and critical race theory. On the demand side, many parents are still unaware of how far their children have fallen behind (Pew Research Center, 2022); in one district, even repeated reminders sent to students and families resulted in minimal take-up of a free tutoring program (Robinson et al., 2022).

Implementation challenges can happen whether districts deliver academic interventions themselves or contract with outside providers. Doing better in either case will not be easy. An indirect solution is for districts (and providers) to redouble their efforts to tell parents how their children are doing academically and encourage them to use extra supports, using accessible language that makes the stakes clear. On the supply side, districts and providers may need to invest more to address scheduling and staffing problems. But for external providers of academic interventions, districts can use a more direct tool to shape program implementation: the terms of the contract.

Could Better Contracting Help?

In some ways, COVID-related tutoring is a good fit for contracting: the services are narrow and can be specified in advance; outcomes can be assessed during and after delivery; and in some places, multiple providers are competing for contracts. But contracting also means that districts lose some control over instruction and take on new demands (e.g., monitoring costs; managing contract modifications; dealing with claims or disputes). In some places, districts may have few choices about contractors and so have weak bargaining power; and some districts' central offices might lack the capacity to negotiate and monitor contracts effectively. How these trade-offs play out will vary across contexts. But where contracts exist, what do their terms look like?

Despite the importance of this question, information about COVID-era contracts in states and districts is not easily available. We sought some initial clues about what these contracts include by reviewing a convenience sample of virtual tutoring RFPs and contracts that were posted on state and district websites. What we found is illustrative not representative. But it suggests not all contract terms are created equal and, in some places, systems may be wasting money paying for access to interventions rather than the delivery of interventions to students.

Often funded by the American Rescue Plan-Elementary and Secondary Schools Emergency Relief Fund, we found examples of state-level contracts for virtual tutoring with spending caps in the millions of dollars. The contracts we reviewed typically required vendors to invoice against these caps after completing specific activities. These activities might include training teachers on a virtual platform, providing students access to the platform, or delivering tutoring sessions. For example, the scope of work in one contract reads:

> The Contractor shall ensure that it provides tutoring services for at least eleven thousand (11,000) students. Contractor's tutoring services shall be available to rostered students on an unlimited basis during the service term, enabling those students to reach and exceed the minimum of twenty (20) hours of tutoring services for the term of the agreement.

In this contract, 60% of the contractor's payment was for providing access to virtual tutoring software (e.g., providing access and enrolling students on the platform, per the language above). Thirty-five percent was tied to delivering a specific number of tutoring sessions, and 5% was tied to student achievement outcomes. Over half of the funding was tied to activities that did not involve actually tutoring students. Other contracts also appear to tie the bulk of their payments to "enabling" students to use tutoring services and "delivering" tutoring sessions, rather than for documented time providing tutoring to students.

In other contracts, systems take a more outcomes-focused approach. Instead of weighting contracts towards providing enrollment or access, these systems tie the

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[1] FutureEd's analysis of ESSER II spending plans from 5,000 districts suggests around 3% of the total went to tutoring or coaching in math and reading.

contracts to documented tutoring time and student outcomes. A prominent example comes from a group of districts working on outcomes-based contracting with the support of the Southern Education Foundation (https://obc.southerneducation.org/). The districts still provide contractors with a base payment, but subsequent payments (per student) are tied to student attendance and student learning (e.g., growth or proficiency).

For example, Denver Public School recently used outcomes-based contracting for a math tutoring program targeting around 1,000 students. Almost 60% of the $900,000 contract was contingent on actual outcomes—the opposite of the contract described earlier that paid 60% for access to tutoring. In Denver's case, base payments were tied not only to session attendance but also to students' meeting academic growth targets, students' survey responses about culture and social emotional learning, and students' end-of-year tests (OBC, ND).

To be sure, contracts of any stripe cannot address all the take-up and implementation challenges associated with academic interventions. They also cannot ensure that all students catch up from COVID losses. Districts and vendors both need to find ways to build momentum, capacity, and, in some cases, urgency among teachers, students, and families to make these programs work. But contracts can create incentives for vendors to focus on session attendance, tutoring dosage, and results; on the margin, such incentives might get vendors to pay more attention to the student outcomes that districts care about most.

If school systems are going to deliver the academic support necessary for recovery, they need clear-eyed assessments of their current catch-up efforts. And if they are working with an external partner, they need agreements with incentives that put everyone's attention and effort on what matters most: delivering academic support to help students catch up from the chaos of the last three years. Although there is not much evidence yet about the impact of different contract provisions, we should all be paying attention to whether contract language focuses vendors on ensuring that students receive the services that districts are paying for.

References

Amin, R. (2023 May 24). NYC's Summer Rising program rejected 45,000 applicants, launching scramble for child care. Chalkbeat.

Belsha, K., (2022 November 17). Schools across the U.S. have turned to Paper's online tutoring. Some worry it's falling short. Chalkbeat.

Belsha, K., (2023 March 17). Online tutoring company Paper loses statewide contract in New Mexico. Chalkbeat.

Carbonari, M.V., Davison, M., DeArmond, M., Dewey, D., Dizon-Ross, E., Goldhaber, D., Hashim, A., Kane, T.J., McEachin, A., Morton, E., Patterson, T., & Staiger, D.O. (2022). The challenges of implementing academic COVID recovery interventions: Evidence from the Road to Recovery Project. CALDER Working Paper No. 275-1222

Fahle, E.M., Kane, T.J., Patterson, T., Reardon, S.F., Staiger, D.O., & Stuart, E.A. (2023). School district and community factors associated with learning loss during the COVID-19 pandemic. Center for Education Policy Research. Harvard University.

Goldstein, D. (2023 June 21). What the new, low test scores for 13-year-olds say about U.S. education now. *The New York Times*.

OBC (ND). Case study: Denver Public Schools.

Pew Research Center American Trends Panel. (September 2022). Survey of American Parents, Wave 115.

Pomeroy, E., (2022 August 8). Chicago expands summer school, but enrollment in certain programs lags. Chalkbeat Chicago.

Raymond (2023). The pace of recovery after COVID. Center for Research on Education Outcomes. Hoover Institution.

Robinson, C. D., Bisht, B. & Loeb, S. (2022). The inequity of opt-in educational resources and an intervention to increase equitable access. Annenberg Institute for School Reform at Brown University. EdWorkingPaper No. 22-654.

This brief is part of the **Road to Recovery Project (R2R)**. The R2R brings together school district leaders and researchers to study the design, implementation, and effects of academic COVID recovery initiatives. Learn more at: https://caldercenter.org/covid-recovery.

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