

(iii) A list of approved persons that may provide academic intervention programs, in accordance with paragraph (2)(ii) of this subsection.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, a school shall provide instruction using school staff and materials.

(ii) If a county board is unable to provide the curriculum-based instruction of the academic intervention program with school staff and materials, a county board may select a person approved by the State Board to provide extended academic instruction.

(d) The schools shall determine a student's eligibility for the Program based on the student's performance on Maryland School Performance Assessment Program Tests, standardized tests, classroom tests, and any other criteria the State Board deems appropriate.

(e) (1) The county boards shall develop or appropriately adapt an existing parental consent form for the provision of academic intervention instruction.

(2) A parent or guardian of a student selected for the Program shall provide written consent for the student's participation in the Program to the student's school prior to the student's participation in the Program.

(f) (1) The State Board shall establish criteria for evaluating the Program.

(2) On or before June 30 of each year, each county board shall submit a report to the State Board that includes an evaluation of the status and success of the Program in that county.

(3) The report submitted by a county board under paragraph (2) of this subsection shall:

(i) Identify the number of students in the county who were eligible to participate in the Program during the prior school year;

(ii) Identify the number of students in the county who were selected to participate in the Program during the prior school year;

(iii) Include, for each grade, aggregate student performance results, before the students began participation in the Program, on any tests or measurement tools that were used to determine the students' eligibility for the Program;

(iv) Include for each grade, aggregate student performance results, after the students began participation in the Program, on any tests or measurement tools that were used to determine the students' eligibility for the Program; and

(v) Include an evaluation of the success of the Program based on the data described in items (iii) and (iv) of this paragraph and any other criteria established by the State Board for evaluating the Program.

(4) (i) The State Board shall evaluate a report submitted by a county board under paragraph (2) of this subsection to determine whether the Program has been successfully implemented in the county.