

This section includes NCLB requirements involving timely identification of schools in need of improvement, corrective action and restructuring; the provision of technical assistance to such schools; public school choice; rewards and sanctions; school recognition; school restructuring; and corrective action for local education agencies.

The ECS database reflects verification of enacted state policy, whether statute, rule, regulation or formal directive. The database does not include planned and implemented programs approved by the U.S. Department of Education as required by No Child Left Behind, but that are not yet reflected in final state policy. Information in the database and determinations made in this report are those of ECS alone. They do not reflect judgments upon or recommendations to individual states, nor do they imply ECS certification of individual state activity. Likewise, the information and determinations do not imply certification by or approval of the U.S. Department of Education.

Timely Identification

States identify schools in need of improvement, corrective action or restructuring before the start of the school year, and ensure that school districts notify parents in a timely fashion.

How States Are Doing

	March 2003	March 2004
Y	(4/8%)	(27/53%)
P	(36/71%)	(23/45%)
N	(11/22%)	(1/2%)
U	(0/0%)	(0/0%)

In March 2004, 27 states appeared to be on track to meet the Timely Identification requirement, compared with four in March 2003.

Y	Appears to be on track
P	Appears to be partially on track
N	Does not appear to be on track
U	Unclear or data not available

What States Are Doing

Many states are taking advantage of the flexibility NCLB allows in terms of how and when schools in need of improvement are identified.

Arkansas, for example, requires that schools in need of improvement be identified and reported annually by May 1 for the following year.

Some states provide notice by publishing report cards that include the performance status of schools. **Delaware**, for example, requires that school profiles be available on the state department of education's Web site on or before August 1 of each year.

A few states have adjusted their assessment programs and/or taken advantage of developments in testing and technology to help them more quickly diagnose and intervene in low-performing schools.

In **Arizona**, for example, the state board of education has approved Superintendent Tom Horne's plan to reduce the amount of classroom time devoted to testing by combining elements of the Stanford 9 exam with Arizona's Instrument to Measure Standards test – meaning students will face only one standardized exam a year instead of two. The state has asked testing companies to write an exam that can be fully implemented – or at least field-tested – in the 2004-05 school year.

In **Oklahoma**, a provision of H.B. 1414, enacted in 2003, requires testing dates to be set as near to the end of the course as possible, with test results to be delivered to school districts before the beginning of the next school year.

Issues and Challenges

Availability of test results. For a variety of reasons – ranging from states’ testing schedules to slow and overburdened data processing to inadequate dissemination plans – test results are not always available well before the beginning of the school year.

Errors in test results and miscalculation of the number of schools in need of improvement. The following headlines illustrate the problem: “Michigan test data: Four months late and counting” (*Education Week*, September 24, 2003); “Errors fill state testing data; Meaningful conclusions in doubt” (*Chicago Tribune*, December 19, 2003); “Thousands of exams tossed out by state” (*Chicago Tribune*, December 28, 2003); “Connecticut tests delayed by scoring glitches” (*Education Week*, February 11, 2004); “Failing schools underreported” (*Washington Times*, January 14, 2004). A certain number of bugs in the system should be anticipated, but the more bugs there are, the more public confidence is reduced. As the stakes increase, so will the demand for timely and accurate data.

From the U.S. Department of Education

States can make identifications on the basis of preliminary analysis, identify the schools directly with public announcements to follow or roll out the identification of schools. Because of its testing schedule, Connecticut will identify elementary and middle schools in need of improvement in the spring and high schools in the fall. Idaho first released its list of Title I schools identified for improvement in early August and followed with preliminary AYP reports for all schools in November. South Carolina made preliminary identifications in mid-August, with the public release of information in late September.

<http://www.ed.gov/news/pressreleases/2004/01/01142004.html>

Technical Assistance

States have systems in place to provide “scientifically based” technical assistance to schools identified for school improvement, corrective action and restructuring, and states have made LEAs aware of their technical assistance responsibilities to schools implementing improvement plans.

How States Are Doing

	March 2003	March 2004
Y	(5/10%)	(23/45%)
P	(42/82%)	(25/49%)
N	(4/8%)	(3/6%)
U	(0/0%)	(0/0%)

In March 2004, 23 states appeared to be on track to meet the Technical Assistance requirement, compared with five in March 2003.

Y	Appears to be on track
P	Appears to be partially on track
N	Does not appear to be on track
U	Unclear or data not available

What States Are Doing

States have adopted various technical assistance approaches, including scientific- or criteria-based models, successful-school models and programs focusing on developing principals who specialize in turning around struggling schools.

In **Arkansas**, S.B. 46, enacted in 2004, created a program to be administered by the Arkansas Leadership Academy that provides annual bonuses for qualified principals serving in schools in academic distress. The three-phase program will focus on: expanding the knowledge base and leadership skills of the principal, requiring the principal to apply strategies and collect evidence of improvement in student learning and school processes, and requiring the principal to publicly demonstrate the ability and skills that lead to sustained academic improvement. State-paid bonuses will be highest for “master” principals serving in the highest-need schools – up to \$25,000 a year, with an additional \$15,000 after three years and another \$10,000 after five years.

Virginia has established criteria for reading and math models or programs and published a document describing those that have been approved by the state board of education, along with instructional materials that have proved successful with low-achieving students. In addition, Governor Mark Warner has created a program designed to develop a cadre of principals that specialize in turning around chronically troubled schools. The training program, which will develop 10 specialists a year for two years, will focus on business and education strategies that have proved effective in turning around low-performing organizations. Each specialist will serve under contract as the principal of a low-performing school for a minimum of three years. Specialists will be eligible for incentives such as additional retirement benefits or deferred compensation.

In **North Carolina**, H.B. 797, enacted in 2003, requires the state board of education to: identify schools that successfully made AYP; study the instructional, administrative and fiscal practices and policies used by these schools; and create assistance models based on these policies and practices, with the assistance of the schools of education in the state university system and the University of North Carolina Center for School Leadership Development. Technical assistance is to be provided first to those districts with high concentrations of schools that are not meeting AYP. The state board must determine the number that can be served effectively in the first two years.

In **Tennessee**, schools that are not making AYP receive intensive weekly services on site through the Tennessee Exemplary Educator Program. The program targets schools with the greatest need to improve student achievement. In collaboration with the Appalachian Educational Laboratory, the state selects and provides training to a cadre of recently

retired educators who work for the department as independent contractors. They model innovative teaching strategies, serve as mentors to principals and teachers, analyze student performance data, connect schools with professional development providers, and build capacity for continuous improvement. These individuals begin working with a school once it has been identified by the state and put on notice that it is in need of improvement, and continue to work with the school until it makes AYP for two years.

<http://www.state.tn.us/education/acctexemplaryeducator.htm>

In **West Virginia**, H.B. 4002, passed in 2002, requires the state board of education to establish a competitive program that will allow schools to apply for funds to implement programs to strengthen student learning ability. The highest priority will be given to pre-kindergarten and elementary schools. Proposed programs must include: assessment of the cognitive abilities of students; physical screening to identify barriers to a student's ability to learn; development of a student-specific program to improve learning ability, based on the results of the assessment and physical screening; and administration of learning development exercises. Programs also must be evaluated for their impact on student test scores, referrals to special education and other measures of performance.

South Dakota is offering technical assistance through the Internet – a great idea for a well-wired, sparsely populated state. Schools identified as “under improvement” must submit a plan identifying how their improvement activities will use scientifically based practices. The state department of education offers a page on its Web site providing guidelines for determining what constitutes scientifically based practice, and allowing schools to submit queries about specific practices. In 2003, the department also hosted workshops in Rapid City, Pierre and Sioux Falls to help schools identify scientifically based research.

<http://www.state.sd.us/deca/NCLB/scientificbasedresearch.htm>

In **Rhode Island**, the state's System for Improving Low-performing Schools is a collaborative process designed to actively engage schools and districts, and provide “progressive support and intervention” that is tailored to their varying needs, interests and strengths rather than one-size-fits-all. The state also requires that strategic plans for technical assistance in reading, math and writing document a scientific research basis.

http://www.ridoe.net/schoolimprove/salt/resources/prog_support.doc

Ohio is one of the few states that surveys districts and schools on the performance of the state department of education, as part of its use of the Baldrige continuous-improvement model. Here is a link to the department's application for the Ohio Award for Excellence. See 7.1 Customer Focus Results.

<http://www.ode.state.oh.us/baldrige/PDF/OAETier2App-2001.pdf>

In **Delaware**, the state department of education commissions an annual survey by an independent entity to determine the level of satisfaction among constituencies – school boards, school administrators, teachers, parent organizations and the business community – dependent on the department's services and policies. The business community plays an active role in reviewing the department's management practices, evaluating the quality of its strategic plan and objectives, and determining the cost-effectiveness of the technical assistance it provides to school districts.

Issues and Challenges

Lack of capacity. Providing high-quality, sustained technical assistance to low-performing schools poses a challenge for states, particularly those in which state education departments have experienced cutbacks. To compensate for limited staff capacity, some states are trying to develop a library of successful practices and new program evaluation tools – with a focus on the encouragement of research at the school and classroom levels (i.e., an inquiry-based approach in which teachers learn to look at data and develop potential solutions). A related challenge is the requirement that states provide evidence their technical assistance is getting results or is founded on the “scientifically based research” principles itemized in NCLB. Few states currently evaluate the quality of their services – let alone the quality of technical assistance.

Other specific challenges for states include:

- How to more effectively identify and disseminate successful models not only for improving reading, math and science instruction, but also for improving student performance in all subjects, teacher professional development and school leadership practices.
- How to reallocate resources and build capacity. In a recent report by ECS for the state of *Washington*, school accountability officials noted the critical importance of adequate funding for interventions. Some contend that using a free-market approach to providing technical assistance to low-performing schools will ensure the highest quality of service.
- How to make better use of regional service centers to provide professional development and technical assistance to districts. How are these centers held accountable for their performance? To whom do they report? What measures determine their performance? What happens if they don't perform well?

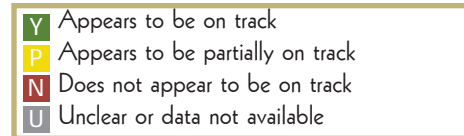
Public School Choice

If schools fail to make AYP for two consecutive years, states identify those schools as needing improvement. State public school choice laws must allow students in those schools the option to transfer to a school within the district that has not been identified as needing improvement, unless such an option is prohibited by state law. The district continues to provide students with this option as long as a school fails to make AYP.

How States Are Doing



In March 2004, 34 states appeared to be on track to meet the Public School Choice requirement, compared with 25 in March 2003.



What States Are Doing

According to ECS research, no states prohibit the transfer of students from schools in need of improvement to schools not in need of improvement. (Thirty-four states explicitly allow students to transfer to other schools within their districts, while 17 states don't explicitly allow such transfers.)

Several states have enacted public school choice laws that are specifically targeted to students in low-performing schools. For example, public school choice laws in **Georgia**, **Oklahoma** and **Tennessee** allow students in low-performing schools to attend a different school within their school district.

In **Arkansas**, a new law – the Opportunity Public School Choice Act of 2004 – requires parents and students to be notified as soon as practicable once a school has been designated Level 1 performance (lowest level) for two or more consecutive years. School transfer is one available student option, and the state is responsible for transportation of students.

Some states and districts are looking beyond traditional public schools to offer the necessary choices to students in low-performing schools, including charter schools and publicly funded voucher programs.

For example, in 2003, **Colorado** enacted a publicly funded voucher law that applies to 11 school districts that had at least eight schools categorized as “low” or “unsatisfactory” in the state’s accountability system for the 2001-02 school year. To receive a voucher in these 11 districts, a student must be eligible to receive a free or reduced-cost lunch and meet other requirements, depending on his or her grade level. Eligible students may use a voucher to attend a private or parochial school that is participating in the program. (This law is being challenged in court.)

Under a publicly funded voucher law enacted in **Florida** in 1999, students in any school rated “F” for two out of four years by the state’s accountability system may use an opportunity scholarship to attend a higher-scoring public school or a private or parochial school.

Issues and Challenges

Numbers exceed supply. In many states, it appears the student population eligible for transfer opportunities far exceeds the supply of seats in higher-performing schools. In some states – such as **Kentucky, Louisiana** and **Texas** – school-choice laws were written to anticipate this problem and allow students to transfer to schools outside their district, if the other district agrees to accept them.

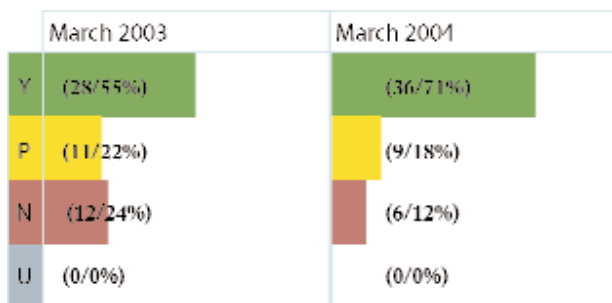
Lack of incentives to accept transfers. According to ECS research, no states currently offer incentives to encourage districts to accept students transferring from other districts. Many districts and schools are reluctant to take students from low-performing schools for fear this could increase their chances of not making AYP. Incentives might take the form of additional state funding or a one- or two-year “safe harbor” (with the approval of the U.S. Department of Education) for schools before they are held accountable for students who transfer.

Timely, straightforward notice. Concerns have arisen over whether states are identifying schools in need of improvement in a way that gives districts enough time to notify parents of their right to transfer their children. There are concerns, too, over varying degrees of forthrightness on the part of districts in informing parents of their options. In some cases, states provide districts with templates for such written notifications.

Rewards and Sanctions

States have implemented a system of rewards and sanctions for all schools (both Title I and non-Title I) based on AYP.

How States Are Doing



In March 2004, 36 states appeared to be on track to meet the Rewards and Sanctions requirement, compared with 28 in March 2003.

Y	Appears to be on track
P	Appears to be partially on track
N	Does not appear to be on track
U	Unclear or data not available

What States Are Doing

Arkansas, California and Texas provide monetary and non-monetary rewards to schools based on absolute and improved performance. At the other end of the spectrum, these states require low-performing schools to create and implement improvement plans, and have the authority to place them on probation, remove their accreditation, reconstitute them, close them and take them over (Arkansas and Texas) or reconstitute them, close them and take them over (California).

Issues and Challenges

“Triggers” for rewards and sanctions. Most states had a system of rewards and sanctions for individual schools in place prior to the enactment of NCLB. A major challenge for these states has been how to implement the system of rewards and sanctions required by NCLB in harmony with the systems already in place.

The “triggers” in states’ existing rewards-and-sanctions systems vary widely. For example, the trigger for a reward might be a school’s hitting an absolute performance level, such as 80% of its 4th-grade students achieving the proficiency target on the state reading and math tests. Or the trigger for a sanction might be a school’s landing in the lowest-performing category for five consecutive years on the 4th-grade state reading and math tests.

By contrast, the trigger for NCLB’s system of rewards and sanctions is whether or not schools meet their AYP targets. The law doesn’t specify which rewards must be given at what level of performance (except that states are required to designate schools as “distinguished” if they have made the greatest gains in closing the achievement gap or exceeded AYP). But it does specify the range of sanctions that must be put in place at certain points in time for Title I schools. States also are required to have sanctions for non-Title I schools, even though they may be different from those outlined

From the U.S. Department of Education

States have great flexibility in fashioning their systems of rewards and sanctions for both Title I and non-Title I schools. They can focus the type and level of assistance they provide to struggling schools depending on the nature of the school’s difficulty... (and on) the specific subgroups that missed AYP. Additionally, states have the flexibility to require all schools, regardless of Title I status, to offer school choice and supplemental educational services or to have a different set of sanctions for its non-Title I schools. Regarding their system of rewards, states have flexibility to determine what these rewards might be. In some states, rewards are banners, plaques or ceremonies, while in other states rewards come in the form of financial benefits for schools and teachers.

<http://www.ed.gov/news/pressreleases/2004/01/01142004.html>

in NCLB. Thus, states must figure out whether to: (1) use their existing sanctions, (2) apply NCLB sanctions to all schools or (3) create a new system of sanctions for non-Title I schools.

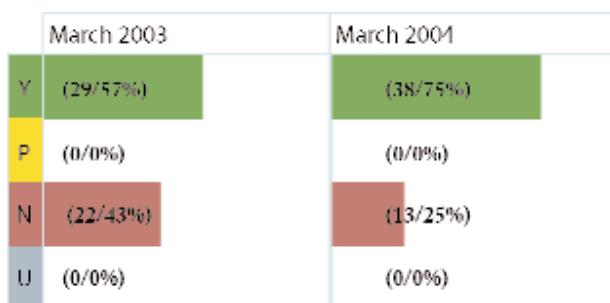
Jennifer O'Day's study, *Complexity, Accountability and School Improvement*, sets forth four principles useful to state policymakers in designing and implementing rewards and sanctions systems. For example, it is crucial, in O'Day's view, that information be available on both student performance and adult performance, and that attention be paid to developing the knowledge base necessary for valid interpretation of the data.

O'Day also notes that negative incentives (stigma of probation, threat of reconstitution) tied to a single assessment measure appear to have resulted in two tendencies that work against improvement. First, attention can become focused not so much on student learning, but rather on getting off and staying off probation. Second, schools on probation have shown a tendency to adopt strategies that produce immediate increases in test scores, often at the expense of longer-term success.

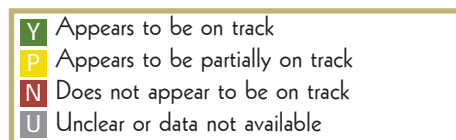
School Recognition

States have developed strategies, such as distinguished schools designations, academic rewards or financial rewards, to recognize schools that have significantly closed the achievement gap, exceeded AYP or made the greatest gains in student performance.

How States Are Doing



In March 2004, 38 states appeared to be on track to meet the School Recognition requirement, compared with 29 in March 2003.



What States Are Doing

In **Illinois**, a school that meets AYP criteria for two consecutive school years is exempt from review and approval of its improvement plan for the next two succeeding school years.

In **Maryland**, the state board of education may, on the recommendation of the state superintendent, make monetary or nonmonetary rewards to schools that significantly close the achievement gap between subgroups or that exceed AYP in reading or in mathematics for two or more consecutive years. The board also may designate certain schools as distinguished schools that have made the greatest gains in closing the achievement gap or exceeding AYP.

Ohio has developed the State Superintendent's Schools of Promise program, which is designed to heighten awareness of the potential of Ohio schools to close achievement gaps. Among other things, the program includes: identifying schools annually that meet or exceed specific student performance and diversity criteria; issuing news releases about these schools and awarding banners identifying them as a School of Promise; and holding forums, network meetings, professional conferences and other events that draw attention to programs, policies and practices that contribute to the success of these schools and the achievement of their students.

Issues and Challenges

Parallel systems. NCLB requires that states recognize schools, but they may create different systems for Title I and non-Title I schools. Thus, states must decide whether to create a system of rewards that applies to all schools, or separate sets of rewards for Title I and non-Title I schools. If states create parallel systems, they may send contradictory messages; for example, a school may be recognized under the state's reward program, but may not be recognized under NCLB's reward program because it failed to make AYP.

Timing of rewards. Over time, a school's test scores may fluctuate due to various factors, including differences in the students being tested each year and one-time extenuating circumstances within schools, classrooms and states. Also, too much weight on a single-year change in test scores might not reflect fundamental improvement. States are thus faced with some tough questions: At what point are various rewards most appropriate? Should states reward schools for one year of gains at one grade level? Or should they only reward schools for multiple years of gains at multiple grade levels? Is there a middle ground?

Sustainability. A final challenge concerns whether states can sustain commitments to provide monetary rewards to schools, particularly in times of tight budgets. For example, in 2002, California suspended its rewards program because of the state's budget crisis. Such suspensions are understandable, but they may weaken the credibility of the state's larger accountability systems by undermining administrators', teachers' and parents' trust.

School Restructuring

If schools fail to make AYP for five consecutive years, state laws must authorize districts to restructure those schools in one of the following ways:

- Reopen the school as a public charter school
- Replace all or most of the school staff, which may include the principal, who are relevant to the school's failure to make AYP
- Enter into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to operate the school as a public school
- Turn the operation of the school over to the state education agency, if permitted under state law and agreed to by the state
- Any other major restructuring of the schools' governance arrangement that makes fundamental reforms.

How States Are Doing

	March 2003	March 2004
Y	(32/63%)	(38/75%)
P	(0/0%)	(0/0%)
N	(19/37%)	(12/24%)
U	(0/0%)	(1/2%)

In March 2004, 38 states appeared to be on track to meet the School Restructuring requirement, compared with 32 in March 2003.

Y	Appears to be on track
P	Appears to be partially on track
N	Does not appear to be on track
U	Unclear or data not available

What States Are Doing

While this provision requires districts (as opposed to states) to restructure schools, it is important to examine whether state laws authorize any of the school restructuring options outlined in NCLB. According to ECS research, 37 states authorize at least one of the NCLB school restructuring options. Here are three examples:

In **Missouri**, if a school is found to be “academically deficient” after two educational audits, policies target both the school and board: (1) the local school board may suspend, after due process, the indefinite contracts of “contributing teachers”; (2) the state commissioner of education may, on the recommendation of the second audit team, conduct a recall election of local school board members; (3) the local school board may not grant tenure to any probationary teacher until one year after the “academically deficient” designation is lifted; and (4) the local school board may not issue new contracts or renew contracts to either the superintendent or the principal for a period of longer than one year.

In **Colorado**, a school designated as “unsatisfactory” under the state’s accountability system must submit a school improvement plan. If the school remains “unsatisfactory” after the first full year of its improvement plan, the state board of education is required to recommend that the school be converted to an independent charter school, unless the school makes a specific amount of improvement, in which case it is allowed to continue to operate under the improvement plan for another year. If the school remains “unsatisfactory” after the second full year of its improvement plan, the state board is required to recommend that it be converted to an independent charter school. The state board must then seek proposals from contractors to manage the school.

In **Louisiana**, the state board of education has the power to take over chronically low-performing schools and include them in a new statewide “recovery school district.” The state board can take over a school if its district fails to submit

reconstitution plans for it, the state board of education does not approve the plan, the district fails to carry out the plan as agreed or a school is rated “academically unacceptable” for four years in a row. Once the state takes over a school, it may enter into a charter with an organization for the operation and management of the school.

Issues and Challenges

Controversy and complexity. The five school restructuring options outlined in NCLB are among the most controversial provisions of the law. One of the least controversial of the options – replacing all or most of a school’s staff – is still a difficult and complex task. Therefore, district leaders (and state leaders in the case of a state takeover of a school) must tread carefully in this terrain.

Obviously, district and state leaders must do everything in their power to assist low-performing schools before they face school restructuring – whether that means more professional development for reading teachers, smaller class sizes for 1st through 3rd graders or additional funding for before- and after-school programs. If a school fails to improve after receiving such assistance, district and state leaders must be prepared to address the following questions:

- What are the academic shortcomings of the school (e.g., reading achievement)? What other problems at the school make dealing with these shortcomings difficult (e.g., unclear school mission and inconsistent school leadership)?
- Given these shortcomings and problems, which of the five school restructuring options in NCLB makes the most sense?
- How will district and state leaders involve the community so school restructuring serves as a catalyst for creating the right environment at the school to address shortcomings and problems?
- How will district and state leaders ensure strong school leadership, high-quality teachers and adequate levels of funding are provided to schools facing any of the five school restructuring options?

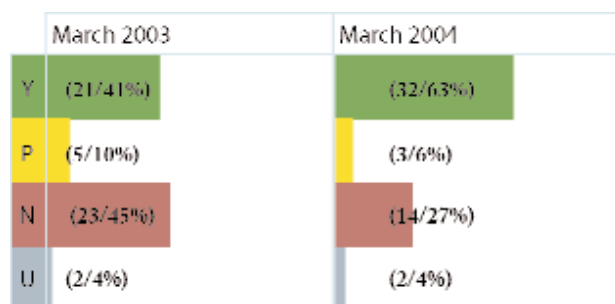
District and state leaders who view the school restructuring provisions of NCLB as a potential catalyst for school improvement may be particularly attracted to the chartering and contracting options. These options may create opportunities for individuals and organizations to bring new ideas and new approaches to the problem of chronically low-performing schools.

Corrective Action for LEAs

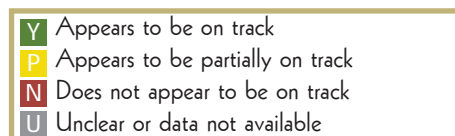
State laws must authorize their state education agencies to take at least one of the following actions against a local education agency (LEA) in need of corrective action:

- Defer programmatic funds or reduce administrative funds
- Institute and fully implement a new curriculum
- Replace the LEA personnel who are relevant to the failure to make AYP
- Remove particular schools from the jurisdiction of the LEA and establish alternative governance arrangements for public governance and supervision of these schools
- Appoint a receiver or trustee to administer the affairs of the LEA in place of the superintendent and school board
- Abolish or restructure the LEA.
- In conjunction with at least one of the above actions, authorize students to transfer from a school operated by the LEA to a higher-performing public school operated by another LEA, and provide transportation or the costs of transportation to these students.

How States Are Doing



In March 2004, 32 states appeared to be on track to meet the Corrective Action for LEAs requirement, compared with 21 in March 2003.



What States Are Doing

States have had more experience with some of the corrective-action options than others. Nearly half of the states have experienced takeovers of districts, while very few, if any, have abolished or restructured a district.

Several states have enacted legislation or regulations that allow them to implement most or all of the corrective-action options outlined in NCLB. In **Maryland**, the state board of education recently adopted new rules on public school standards. One of these rules – COMAR 13A.01.04.08 – allows the state board and the state superintendent to take at least one of the following corrective actions:

- Defer, reduce or redirect state and federal programmatic and administrative funds including per-pupil funding
- Order the local school system to institute and fully implement a new curriculum
- Order the local school system to replace school principals and executive officers with qualified personnel approved by the state board and the state superintendent
- Remove particular schools from the direct control of the local school board and establish alternative arrangements for public governance and supervision of such schools
- Order a reorganization of the local school system that groups specified schools under the direct supervision of an executive officer who reports directly to the local school superintendent or chief executive officer

- Through court proceeding, appoint a receiver or trustee to administer the affairs of the local school system in place of the superintendent and school board
- With legislative declaration, abolish or restructure the local school system.

In **Kentucky**, S.B. 168, enacted in 2002, requires the state department of education, by November 1 of each year, to provide every school council or principal with nonaggregated data on students' performance on statewide tests and an analysis of the achievement gap between subpopulations of students. Districts and local school councils must set biennial targets for reducing gaps and compose plans addressing specified areas. The strength of this law appears to come from setting explicit processes and timelines while leaving the details of the plans up to the local level.

<http://www.lrc.state.ky.us/KRS/158-00/649.PDF>

Issues and Challenges

Controversy and complexity. Once a state determines a district to be in need of corrective action, it faces the challenge of accurately identifying the problems within the district's low-performing schools as well as barriers at the district level that may contribute to or exacerbate the problems. Then the state must figure out what corrective action to apply to the district.

Other challenges include: (1) how to involve the community so that the corrective actions serve as catalysts for creating the right environment within the district and its schools to address problems and barriers; and (2) how to ensure strong district and school leadership, high-quality teachers and adequate levels of funding are provided to districts facing any of the corrective actions. States also must figure out how to tie corrective actions at the district level to teaching and learning changes needed within the district's low-performing schools.

School Improvement Resources

Technical Assistance

Complexity, Accountability and School Improvement

Presents some of the problems inherent in traditional rewards-and-sanctions school accountability policies, drawing examples from the Chicago “bureaucratic accountability” system. The author examines the strengths and limitations of “professional accountability,” which balances teacher-skill issues with attention to student performance, and provides information on Baltimore’s use of a hybrid of accountability models in its lowest-performing schools. (Jennifer O’Day, Harvard Education Publishing Group, Fall 2002)

<http://www.gse.harvard.edu/~hepg/oday.html>

Identifying and Implementing Educational Practices Supported by Rigorous Evidence: A User-Friendly Guide

Provides a checklist to be used in evaluating whether an educational intervention is supported by rigorous evidence. (U.S. Department of Education, December 2003)

<http://www.ed.gov/rschstat/research/pubs/rigorousetid/rigorousetid.pdf>

No Child Left Behind Policy Brief: Low-performing Schools

Describes the NCLB requirements involving adequate yearly progress and required school improvement practices; a sampling of state opportunities to leverage NCLB to support low-performing schools; and key policy questions for states to consider. (Kirstin Craciun and Ravay Snow-Renner, Education Commission of the States, April 2002)

<http://www.ecs.org/clearinghouse/35/19/3519.pdf>

A Policymaker’s Primer on Education Research: How To Understand, Evaluate and Use It

Enables state leaders who use this interactive, online tool to grasp what education research says, whether it is trustworthy and what it means for policy. (Patricia A. Lauer, Mid-continent Research for Education and Learning and Education Commission of the States, February 2004)

<http://www.ecs.org/html/educationlssues/Research/primer/index.asp>

Reaching New Heights: Turning Around Low-performing Schools

Provides a policy framework for turning around low-performing schools and highlights best practices from states, districts and schools. The authors suggest five guiding principles for policymakers: (1) not all low-performing schools are the same, (2) the solution must include building capacity, (3) districts are essential collaborators in efforts to turn around schools, (4) be prepared for the long haul and (5) assistance to low-performing schools should be part of a larger strategy of school improvement. (Christopher Mazzeo and Ilene Berman, NGA Center for Best Practices, August 2003)

<http://www.nga.org/cda/files/0803REACHING.PDF>

Recent State Policies/Activities: No Child Left Behind – School Support

Contains a collection of legislative summaries from the ECS state policy database. These summaries are collected from StateNet, Westlaw, state Web sites and state newsletters. (Education Commission of the States, 2004)

<http://www.ecs.org/ecs/ecscat.nsf/WebTopicView?OpenView&count=300&RestrictToCategory=No+Child+Left+Behind--School+Support>

Recent State Policies/Activities: No Child Left Behind – Scientifically Based Research

Contains a collection of legislative summaries from the ECS state policy database. These summaries are collected from StateNet, Westlaw, state Web sites and state newsletters. (Education Commission of the States, 2004)

<http://www.ecs.org/ecs/ecscat.nsf/WebTopicView?OpenView&count=300&RestrictToCategory=No+Child+Left+Behind--Scientifically+Based+Research>

School Improvement Resources

Review of Factors and Practices Associated with School Performance in Virginia

Presents data and information from a review of best practices at high-performing schools and districts in **Virginia**. According to the report, low-scoring districts typically provided limited support for curriculum alignment and pacing, and often did not provide sufficient professional development or support for data analysis. Successful districts were found to use data analysis to improve performance. (Joint Legislative Audit and Review Commission of the Virginia General Assembly, 2004)

<http://jlarc.state.va.us/Reports/Rpt305.pdf>

Scientifically Based Research – U.S. Department of Education

Recaps a February 2002 seminar in which leading experts in the fields of education and science discussed the meaning of scientifically based research and its status across various disciplines, including reading, math, comprehensive school reform and safe schools. (U.S. Department of Education, February 2002)

<http://www.ed.gov/nclb/methods/whatworks/research/index.html>

State Interventions in Low-performing Schools and School Districts

Details state policies and experiences in low-performing schools and districts, reviews research on the impact of state interventions on low-performing schools and districts, and provides policy recommendations, as well as advice from practitioners around the country. This report was completed by Education Commission of the States at the request of the Washington Academic Achievement and Accountability Commission. (Carl Krueger, Ravay Snow-Renner and Todd Ziebarth, Education Commission of the States, August 2002)

<http://www.ecs.org/clearinghouse/41/52/4152.pdf>

State Support to Low-performing Schools

Describes the systems of state support that **Illinois**, **Louisiana**, **Maryland**, **New York** and **Texas** have created to help low-performing schools. Research suggests that schools and districts successful in their improvement efforts have engaged in a four-step process: needs and goals assessment, strategic planning, implementation, and evaluation and feedback. (Council of Chief State School Officers, March 2003)

<http://www.ccsso.org/content/pdfs/statesupport.pdf>

Public School Choice

Implementing the No Child Left Behind (NCLB) Act in Colorado: Layered Reforms and Challenges of Scale

Examines the differing experiences of urban and rural districts in implementing NCLB provisions. Previously existing accountability systems and choice mechanisms, the author finds, play a crucial role in how – and the extent to which – districts comply with the law. The author recommends that students from low-performing schools who transfer to schools outside their district not be counted in the AYP calculations of the receiving districts. The progress of these students should still be measured and reported, but sanctions should not be related to a district's willingness to serve students who choose other schools. (Alex Medler, University of Colorado, January 2004)

No Child Left Behind Policy Brief: School Choice

Discusses school choice definitions, research, and policy challenges and opportunities. (Carl Krueger and Todd Ziebarth, Education Commission of the States, 2002)

<http://www.ecs.org/clearinghouse/35/21/3521.pdf>

Paige Releases Number of Schools in School Improvement in Each State

Provides state-by-state list of schools in need of improvement. Note: The Secretary of Education will provide an up-to-date list of Title I schools identified for improvement in his forthcoming report to Congress. (U.S. Department of Education, July 2002)

<http://www.ed.gov/news/pressreleases/2002/07/07012002a.html>



School Improvement Resources

Public School Choice: Draft Non-Regulatory Guidance

Highlights important aspects of the public school choice component of Title I, and provides guidance to states on administering and implementing these requirements. (U.S. Department of Education, February 2004)

<http://www.ed.gov/policy/elsec/guid/schoolchoiceguid.doc>

Recent State Policies/Activities: No Child Left Behind – Choice/Transfer

Contains a collection of legislative summaries from the ECS state policy database. These summaries are collected from StateNet, Westlaw, state Web sites and state newsletters. (Education Commission of the States, 2004)

<http://www.ecs.org/ecs/ecscat.nsf/WebTopicView?OpenView&RestrictToCategory=No+Child+Left+Behind--Choice/Transfer>

Rewards and Sanctions

Can Failing Schools Be Fixed?

Examines three interventions into failing schools: the Schools Under Registration Review process in **New York**; comprehensive school reform in Memphis, **Tennessee**; and school reconstitution in Prince George's County, **Maryland**. In each case, the author writes, roughly half or fewer of the schools involved showed real improvement in terms of student achievement. The author advises policymakers not to be overwhelmed by the number of intervention strategies available and to be patient, as it may be several years before even a successful intervention shows results. (Ronald C. Brady, Thomas B. Fordham Foundation, January 2003)

<http://www.edexcellence.net/institute/publication/publication.cfm?id=2>

Complexity, Accountability and School Improvement

Presents some of the problems inherent in traditional rewards-and-sanctions school accountability policies, drawing examples from the Chicago "bureaucratic accountability" system. The author examines the strengths and limitations of "professional accountability," which balances teacher-skill issues with attention to student performance, and provides information on Baltimore's use of a hybrid of accountability models in its lowest-performing schools. (Jennifer O'Day, Harvard Education Publishing Group, Fall 2002)

<http://www.gse.harvard.edu/~hepg/oday.html>

The Limits of Sanctions in Low-performing Schools: A Study of Maryland and Kentucky Schools on Probation

Reports on a study of 11 schools labeled as low-performing by the state accountability systems of **Maryland** and **Kentucky**. The study investigated the effect of probation on individual performance motivation, organizational processes and patterns of instruction. Putting schools on probation undermined teachers' motivation because of perceptions that the tests were unfair, invalid and unrealistic, according to the author. (Heinrich Mintrop, *Education Policy Analysis Archives*, January 2003)

<http://epaa.asu.edu/epaa/v11n3.html>

Recent State Policies/Activities: No Child Left Behind – Consequences for Schools

Contains a collection of legislative summaries from the ECS state policy database. These summaries are collected from StateNet, Westlaw, state Web sites and state newsletters. (Education Commission of the States, 2004)

<http://www.ecs.org/ecs/ecscat.nsf/WebTopicView?OpenView&count=300&RestrictToCategory=No+Child+Left+Behind--Consequences+for+Schools>

Redesigning Accountability Systems for Education

Examines the impact of state accountability systems and presents some considerations for policymakers. Includes the Standards for Accountability Systems assembled by the Consortium for Policy Research in Education (CPRE) and the Center for Research on Evaluation, Student Standards and Testing. (Susan H. Fuhrman, *CPRE Policy Briefs*, Consortium for Policy Research in Education, September 2003)

<http://www.gse.upenn.edu/inpress/Redesigning%20Accountability%20Systems.pdf>

School Improvement Resources

Rewards and Sanctions for School Districts and Schools

Summarizes rewards-and-sanctions policies in the states, and includes the statutory language for each state. (Todd Ziebarth, *ECS StateNotes*, Education Commission of the States, August 2002).

<http://www.ecs.org/clearinghouse/18/24/1824.htm>

School Recognition

The Motivational Effects of School-based Performance Awards

Reports the results of a three-site project that measured the motivational effects of school-based performance award programs. (Carolyn Kelley, Allan Odden, Anthony Milanowski and Herbert Heneman III, *CPRE Policy Briefs*, Consortium for Policy Research in Education, February 2000)

<http://www.gse.upenn.edu/cpre/Publications/rb29.pdf>

Recent State Policies/Activities: Accountability – Rewards

Contains a collection of legislative summaries from the ECS state policy database. These summaries are collected from StateNet, Westlaw, state Web sites and state newsletters. (Education Commission of the States, 2004)

<http://www.ecs.org/ecs/ecscat.nsf/WebTopicP12?OpenView&count=300&RestrictToCategory=Accountability--Rewards>

Rewards and Sanctions for School Districts and Schools

Summarizes rewards-and-sanctions policies in the states, and includes statutory language for each state. (Todd Ziebarth, *ECS StateNotes*, Education Commission of the States, August 2002)

<http://www.ecs.org/clearinghouse/18/24/1824.pdf>

School Restructuring

Can Failing Schools Be Fixed?

Examines three interventions into failing schools: the Schools Under Registration Review process in **New York**; comprehensive school reform in Memphis, Tennessee; and school reconstitution in Prince George's County, **Maryland**. In each case, the author writes, roughly half or fewer of the schools involved showed real improvement when gauged in terms of student achievement. The author advises policymakers not to be overwhelmed by the number of intervention strategies available and to be patient, as it may be several years before even a successful intervention shows results. (Ronald C. Brady, Thomas B. Fordham Foundation, January 2003)

<http://www.edexcellence.net/institute/publication/publication.cfm?id=2>

Do School District Takeovers Work? Assessing the Effectiveness of City and State Takeovers as a School Reform Strategy

Summarizes the history of, and research on, city and state takeovers, and presents findings in three major areas: teacher and student performance, financial and administrative management, and accountability. It also presents implications for policy, practice and research. (Kenneth K. Wong and Francis X. Shen, National Association of State Boards of Education, 2002)

<http://peabody.vanderbilt.edu/pcep/papers/takeover.pdf>

Recent Policies/Activities: Accountability – Sanctions/Interventions

Contains a collection of legislative summaries from the ECS state policy database. These summaries are collected from StateNet, Westlaw, state Web sites and state newsletters. (Education Commission of the States, 2004)

<http://www.ecs.org/ecs/ecscat.nsf/WebTopicView?OpenView&count=300&RestrictToCategory=Accountability--Sanctions/Interventions>



School Improvement Resources

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<http://www.ecs.org/clearinghouse/18/24/1824.htm>

State Education Accountability and Indicator Reports: Status of Reports Across the States – 2004

Indicates: (1) the name of the state report card; (2) the number of performance levels in the state; (3) the subgroups (i.e., race, gender, students with disabilities) for which data are disaggregated; (4) the number of years of data provided; (5) the grades reported; and (6) the name of the school/district report card. Includes links to the state and school/district report card Web sites, as well as links to every state education department's adequate yearly progress site, where available. (Lori Cavell and Carla Toyne, Council of Chief State School Officers, 2004)

<http://www.ccsso.org/Publications/Download.cfm?Filename=IndicatorReport2004.pdf>

State Interventions in Low-performing Schools and School Districts

This report, completed by ECS at the request of the Washington Academic Achievement and Accountability Commission, details state policies and experiences in low-performing schools and school districts, reviews the research on the impact of state interventions on low-performing schools and school districts, and provides policy recommendations as well as advice from practitioners around the country. (Carl Krueger, Ravay Snow-Renner and Todd Ziebarth, Education Commission of the States, August 2002)

<http://www.ecs.org/clearinghouse/41/52/4152.pdf>

State Takeovers and Reconstitutions

Examines two of the most controversial approaches to improving school quality and performance – state takeovers of districts and reconstitution of schools. (Todd Ziebarth, *ECS Policy Brief*, Education Commission of the States, April 2002)

<http://www.ecs.org/clearinghouse/13/59/1359.pdf>

Corrective Action for LEAs

Can Failing Schools Be Fixed?

Examines three interventions into failing schools: the Schools Under Registration Review process in **New York**; comprehensive school reform in Memphis, **Tennessee**; and school reconstitution in Prince George's County, **Maryland**. In each case, the author writes, roughly half or fewer of the schools involved showed real improvement when gauged in terms of student achievement. The author advises policymakers not to be overwhelmed by the number of intervention strategies available and to be patient, as it may be several years before even a successful intervention shows results. (Ronald C. Brady, Thomas B. Fordham Foundation, January 2003)

<http://www.edexcellence.net/institute/publication/publication.cfm?id=2>

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<http://www.ecs.org/clearinghouse/13/59/1359.pdf>

Transfer Policies for Victims of Violent Crime

Persistently Dangerous School Criteria

Provides information on the national response to the federal requirement that students attending a “persistently dangerous school” be allowed to transfer to a safe school within their district. (Gloria Zradicka, *ECS StateNotes*, Education Commission of the States, August 2003)

<http://www.ecs.org/clearinghouse/47/00/4700.pdf>

Safe and Drug-Free Schools State Formula Grants – Legislation, Regulations and Guidance

Lists statutes, regulations, legislation and flexibility provisions for the Safe and Drug-Free Schools State Formula Grant Program. (U.S. Department of Education, 2004)

<http://www.ed.gov/programs/dvpformula/legislation.html?exp=0>

Unsafe School Choice Option: Non-Regulatory Guidance

Clarifies actions that states and districts must take to be in compliance with the NCLB safe school provision. (U.S. Department of Education, May 2004)

<http://www.ed.gov/policy/elsec/guid/unsafeschoolchoice.doc>

