



**The National Picture of State Intervention Authority
in Low Performing Schools and Districts
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Washington Statute

The Washington State Board of Education and the Office of Superintendent of Public Instruction lack the authority to intervene in low performing schools and districts unless they volunteer for assistance. The statute states that the State Board of Education can:

Identify schools and school districts in which state intervention measures will be needed and a range of appropriate intervention strategies after the legislature has authorized a set of intervention strategies. After the legislature has authorized a set of intervention strategies, at the request of the Board, the Superintendent shall intervene in the school or school district and take corrective actions. This chapter does not provide additional authority for the Board or the Superintendent of Public Instruction to intervene in a school or school district (RCW 28A.305.130 (4) (e))

Overview

This report summarizes the national picture of state authority to intervene in consistently low performing schools, along with an in depth look at the models in a few states. The information provided is collected from a variety of sources including: state statutes from each of the 50 states, Education Commission of the States (ECS), WestEd Policy Center, Education Development Center, Arizona Department of Education, REL Southwest at Edvance Research, Rhode Island Department of Education, Texas Department of Education, Louisiana Recovery School District, and Federal Department of Education Consolidated State Performance Reports. The table in Appendix A displays the intervention authority by state, along with the state laws, and a list of possible actions that states can take.

The National Picture

Approximately 60% of states have the authority to intervene in local schools and/or districts in some capacity. The interventions range from minimal measures, up through complete school and/or district takeover. For the most part, states that do not have the authority to intervene in local schools/districts offer assistance to struggling schools, but like in Washington, assistance is completely voluntary. Research shows that districts are not likely to voluntarily solicit state help¹.

¹ The Center for Comprehensive School Reform and Improvement (2005). School Restructuring Options Under No Child Left Behind: What Works When? State Takeovers of Individual Schools.

States with Intervention Authority

The three main authorities granted to states are: district takeover, school takeover, and school reconstitution. Thirty-two states have the authority to do one or more of these things.

- 25 states have the authority to take over whole districts
- 16 states have the authority to take over individual schools
- 20 states have the authority to reconstitute schools

School or district takeover generally involves a comprehensive review process followed by replacing staff, administration and/or board members. In several states takeovers also involve the state taking charge of resource allocation for the school/district.

School reconstitution presents a wide variety of options. States with this authority employ a variety of methods including (but not limited to): contracting with private or nonprofit agencies to run the school, implementing new curriculum, providing professional development, reassigning students/staff/administration, implementing research supported improvement methods, changing school procedures, establishing a state appointed expert team within the school, and creating charter schools.

States with No Intervention Authority

Eighteen states do not have the authority to intervene in consistently low performing schools. These states include: Alaska, Delaware, Hawaii, Idaho, Indiana, Maine, Minnesota, Montana, Nebraska, New Hampshire, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming, and Virginia. In general, these states offer voluntary assistance to local schools/districts.

State Intervention Models

While several states have the authority to step in with local schools and districts, few have done so. Examples of different intervention models are summarized here. Arizona's model involves intervening with individual schools, and has been more effective at improving achievement than most states. Texas uses a strict model that allows them to effectively monitor large numbers of underperforming schools. Rhode Island's model intervenes with whole districts, and can specify interventions for working with collective bargaining agreements. Louisiana has an interesting model that involves transferring individual struggling schools to a state Recovery School District. Pennsylvania exercises less intervention authority, but provides very clear intervention steps for low performing schools.

Arizona: School Takeover

If a school fails state standards for three consecutive years, the state begins taking steps to "take over". State staff conducts an extensive three day site visit where they visit classrooms and observe teachers, interview students, administrators, teachers, and parents. The staff creates a report that outlines an intervention strategy. Strategies include:

- Minimal intervention, generally just giving schools more time to improve. Minimal intervention is rare, and has only been used twice. In both cases the schools had recently made a leadership change for the better and just needed more time to improve.

- An in between step is to deploy a mentor principal appointed by the state. This is used when the current principal has some deficiencies but shows promise. The mentor principal works intensively with the building principal throughout the year. They meet two to four times per month and communicate daily.
- In most cases more extensive interventions are deemed necessary. The state replaces the principal with a turnaround principal. Turnaround principals are selected from a pool of people that have been screened and approved by the state. The principal receives a salary from the district plus a stipend from the state.
- In addition, two teachers who are screened and selected by the state, are deployed to a low performing school to serve as a coach/mentor/model. These teachers are generally in a school for three years.

Arizona has had more success than many states. Originally they intervened with 11 schools; nine were successfully removed from failing status in two years. Currently the state is intervening with nine schools, four of which are in one district. As a reaction, the state has recently extended the authority of the Arizona Board of Education to intervene in whole districts when 50% of the schools in a district are underperforming or failing and at least one school is failing. Arizona is currently establishing its district intervention process.

Louisiana: Recovery School District

Louisiana has a unique model that transfers failing schools into the Recovery School District (RSD), a state run district overseen by the State Board of Education. All staff, teachers, and administrators for RSD are hired by the state, which uses its own salary schedule and calendar. Schools remain part of RSD for five years, at which point RSD presents a report to the Board, who decides if the school can be transferred back to its district. The RSD has a small leadership team hired by the state and streamlined central organization providing instructional and operational support, along with an advisory committee of local, national, and international education experts who connect RSD with expertise and best practices. The district has seven main objectives:

- 1) Student achievement
- 2) Quality leadership
- 3) Parental and community collaboration
- 4) Transparency and accountability
- 5) Equal access and equity
- 6) High quality charter schools
- 7) Positive collaborative relationship with New Orleans Public School System

Pennsylvania: Education Empowerment Districts

Pennsylvania has limited authority to intervene in low performing districts as a group. A few districts can be designated as “education empowerment districts”, allowing the SBE to:

- Establish any school as a charter school, or designate a school as independent from a district
- Employ certified professional staff
- Reconstitute a school
- Reassign, suspend, or dismiss a professional employee
- Supervise and direct principals, teachers, and administrators
- Rescind the contract of the superintendent and other administrative personnel
- Reallocate resources, amend school procedures, and develop achievement plans and other evaluation procedures

Pennsylvania has intervened with a few school districts. The first interventions were unsuccessful, mainly because the process was rushed and the board appointed to oversee the process was too small, not representative of stakeholder groups, and had strong affiliations with the low performing system. Later interventions appear to be somewhat more successful.

Rhode Island: Whole District Intervention

The state of Rhode Island has the following district intervention authority:

If after a three (3) year period of support there has not been improvement in the education of students as determined by objective criteria to be developed by the board of regents, then there shall be progressive levels of control by the department of elementary and secondary education over the school and/or district budget, program, and/or personnel. This control, by the department of elementary and secondary education, may be exercised in collaboration with the school district and the municipality. If further needed, the school(s) shall be reconstituted. (RIGL § 16-7.1-5)

The following is an example of the actions the state took with one consistently underperforming district:

- Superintendent transition - the State Board appointed a new superintendent who is an extension of the Rhode Island DOE.
- Corrective action plan - the DOE read the plan submitted by the district and noted several changes that needed to be made to the plan, such as increasing building central office capacity, implementing electronic portfolios, and implementing various literacy techniques.

- Teacher contract issues - the DOE notes issues with the current teacher contract that are barriers to improvement and insists that the district reopen contract negotiation and bring these to the table.
- Middle school issues - these include restructuring action plans, revising the tenured teacher evaluation system, establishing grade level teams, protecting staff at the alternative middle school, and working with the education commissioner.
- High school issues - these include developing a corrective action plan that targets areas of concern, undertaking course analyses particularly in math, creating greater coherence between middle school and high school, and descriptions of how to work with the commissioner.
- Additional items - continuing work with a dropout prevention program and new grading standards and procedures.

Rhode Island is in the middle of the improvement process with this district; therefore, the success of the process is unknown at this point.

Texas: Site Based Intervention Teams

The Texas model uses two different types of school intervention teams, Technical Assistance Teams (TATs) and Campus Intervention Teams (CITs).

TATs are a prevention measure for schools at risk of becoming “academically unacceptable.” When schools meet standard for the current year, but score low enough to not meet standard for the next year they must form a TAT. The TAT is made up of two people from the district, but not from the at risk site. They work through an improvement process with the school but do not submit official paperwork.

CITs are for “academically underachieving” schools. This two member team is made up of one external member who has no affiliation with the school or district, and one internal member who is affiliated with the district but not the school. The CIT uses data analysis, needs assessments, and improvement plans, working closely with a state monitor. A state employee typically oversees 40-50 CITs. A CIT stays with a school until it is ranked “academically acceptable” for two consecutive years.

Schools not complying with their CIT are placed on escalated intervention and a State Monitor is placed in the school. Schools that remain “academically unacceptable” are at risk of losing their accreditation.

Further Resources

The majority of states are still in the experimental stage of state intervention. Several education policy organizations have published studies on what has and has not worked so far. The majority of the research is based on anecdotal evidence, and cites lessons learned from failed attempts at intervention rather than successful endeavors.

The Center for Comprehensive School Reform and Improvement, in particular, has published several papers about the pros and cons of state takeovers; citing that few states have been able to truly improve student achievement through state intervention².

Pros: States hold the primary responsibility for education. State departments have more money than local districts. The federal government has given states a big role in improving local education. The state is more likely to be informed about researched best practices.

Cons: States often lack the capacity to intervene successfully. Boundaries between state and local authority are complex. Improving performance in persistently low performing districts is difficult

Some helpful lessons that have been learned through this research are²:

- State intervention requires an effective oversight body that is representative, independent, knowledgeable, well planned, tough, and sensitive to local concerns.
- The State needs staff dedicated to intervention; the process is time and labor intensive.
- Fairness, transparency, and adequate funding are essential for success.

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