



COMMISSION ON  
NO CHILD LEFT BEHIND  
THE ASPEN INSTITUTE  
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**Background for the Commission’s Hearing on School Improvement**  
**Wed. Sept. 2<sup>nd</sup>, 10:00 AM, Howard University, Washington, DC**  
(September 2009)

**School Improvement by the Numbers**

Every year, 1.2 million American students<sup>i</sup>—and approximately half of inner-city students of color<sup>ii</sup>—do not graduate from high school on time. The nationwide graduation rate is shockingly low, hovering around 70 percent.<sup>iii</sup> Even more shocking, a disproportionately high amount of these students come from so-called “dropout factories,” 2,000 high schools that produce more than half of this country’s dropouts.<sup>iv</sup> Among students who do make it to graduation, four in ten are still unprepared for college or employment, according to professors and employers.<sup>v</sup> The consequences of not getting school improvement right extend beyond tragic stories and missed opportunities for individual students: research shows that the persistence of achievement gaps imposes the economic equivalent of a permanent national recession on our country.<sup>vi</sup>

In school year 2008-2009, more than 12,000 public schools in the United States (roughly 12%) did not make Adequate Yearly Progress (AYP) under No Child Left Behind (NCLB), including over 5,000 schools in the planning or implementation phase of restructuring, the consequence reserved for schools that have missed AYP for five or more consecutive years.<sup>vii</sup> This represents a large increase from just two years before, when the U.S. Department of Education reported that only 2,302 schools were in the process of restructuring.<sup>viii</sup>

Good data are often hard to come by: the number of schools successfully emerging from “restructuring” is not being tracked nationally, and the U.S. Department of Education has to rely on school, district, and state-reported data, which, although improving, is often incomplete and inaccurate. According to the Department, few Title I schools in restructuring status in 2006-07 reported experiencing any of NCLB’s restructuring options (detailed below).<sup>ix</sup> At 12%, the most frequently reported intervention was replacement of all or most of the school’s staff. 40% reported replacing the principal, which is not specifically listed in the law.

## **What NCLB Currently Requires<sup>x</sup>**

NCLB requires states and districts to undertake a series of interventions to assist students and turn around underperforming schools that consistently miss achievement targets.

### *Public School Choice and Tutoring Options*

Students in schools that do not make AYP for two consecutive years are given the opportunity to transfer to another public school. If a school does not meet AYP for a third consecutive year, students are given the option of receiving supplemental educational services (SES or free tutoring) from state-approved providers. These providers can include districts, nonprofit organizations, and for-profit companies.

The number of students participating in school choice options is small but growing. The percentage of eligible students who participated in school year 2006-07 was 15% for SES and 2% for public school choice.<sup>xi</sup>

### *School Improvement, Corrective Action, School Restructuring and Other Interventions*

In addition to providing public school choice, schools that do not make AYP for two consecutive years are designated for “needs improvement” status. Under this status, schools must develop a school improvement plan that is focused on improving instruction and the knowledge and skills of staff who are responsible for such instruction. If schools continue to miss AYP targets, they are required to offer SES, and subsequently implement more aggressive reforms under “corrective action” and school “restructuring” status.

## **NCLB School Improvement, Corrective Action and Restructuring Timeline<sup>xii</sup>**

<b>Year 1</b>	Children take assessments, school does not make AYP
<b>Year 2</b>	Children take assessments, school does not make AYP, school identified as “a school in need of improvement”
<b>Year 3</b>	School is in “improvement” status—Year One Public school choice is provided for students in school, transportation costs are provided Only technical assistance is provided during this year; district is not authorized to take corrective actions Children take assessments, school does not make AYP, school identified for “corrective action”
<b>Year 4</b>	School is in “improvement” status—Year Two Districts must provide SES to low-income children in school and continue public school choice
<b>Year 5</b>	School subject to “corrective action,” which requires the district to do one of the

following:

- Use an outside expert to analyze the school plan
- Implement a new curriculum
- Decrease the school's decision-making
- Replace staff relevant to failure
- Modify the school schedule

Public school choice continues, district must continue technical assistance, SES continue

Children take assessments, school does not make AYP

**Year 6** School identified for "restructuring"

Public school choice continues

District must continue to provide SES to low-income children in the school

District must begin planning for restructuring actions for following year

Children take assessments, school does not make AYP

**Year 7** District institutes a restructuring action, which includes one of the following:

- School reopens as a charter
- Principal and all or most staff are replaced
- Management of the public school is assumed by another entity, e.g., a private company
- State assumes management of the school

### **School Improvement Funding Streams**

- *Title I.* Approximately \$14 billion per year, including an additional one-time \$10 billion in the American Recovery and Reinvestment Act (ARRA), is provided to states and districts to help raise the achievement of students at risk of educational failure, especially in high-poverty areas. Much of this funding supports activities at schools in school improvement.
- *School Improvement Grants.* This program, given \$3 billion over the next two school years in the ARRA to supplement annual appropriations (Fiscal Year 2009 funding: \$545 million), awards states funds for school improvement initiatives in Title I schools that do not make AYP for two or more consecutive years.
- *Race to the Top.* \$4.35 billion was authorized through the Race to the Top Fund, a competitive grant fund created by the ARRA to drive substantial gains in student achievement. States applying for and receiving grants through this program must demonstrate a comprehensive approach to turning around the lowest-performing schools and improving teacher effectiveness, data systems, standards and assessments. (An additional \$650 million will be awarded under the "Investing in Innovation Fund" or I3, which will award money to districts and nonprofits with 1) innovative but relatively untested ideas, 2) ideas in need of more research or capacity, or 3) proven programs that are ready to scale.)

- *State Fiscal Stabilization Fund*. \$48.6 billion was authorized under ARRA for the purpose of saving jobs and advancing education reform. In order to receive the initial round of SFSF funding (which as already been released), all governors pledged to provide targeted, intensive support and effective interventions to turn around schools identified for corrective action and restructuring, among several other key priorities. The U.S. Department of Education is finalizing requirements that states must meet in order to receive the remaining SFSF funding.

### **The Commission’s Original Recommendations**

Following a comprehensive review process with extensive public input, the Commission in February 2007 released *Beyond NCLB: Fulfilling the Promise to Our Nation’s Children*, a blueprint for strengthening NCLB by preserving the law’s core principles and making needed changes to accelerate progress toward achieving its goals, particularly in the areas of teacher and principal effectiveness, robust accountability and data, higher academic standards, stronger high schools, and increased options for students. Beyond NCLB can be found at <http://www.aspeninstitute.org/policy-work/no-child-left-behind/reports/beyond-nclb-commission-no-child-left-behind-report>.

### **What Has Changed Since the Commission Released Its Recommendations**

**New Pilot Initiative** – After Congress failed to reauthorize NCLB on time in 2007, the U.S. Department of Education began to take administrative steps to improve the law where possible. Between July 2008 and January 2009, nine states were chosen for a “Differentiated Accountability” pilot initiative aimed at helping states develop more nuanced accountability systems that better distinguish between schools in need of dramatic interventions and those that are closer to meeting achievement goals. Participating states have developed and begun to implement their own methods of categorizing schools identified for improvement, and customize plans for improvement and restructuring based on the individual needs of schools.<sup>xiii</sup> (Ronald Peiffer, Deputy State Superintendent, will discuss Maryland’s participation in the pilot.)

The peer reviewers who reviewed the 17 state proposals submitted noted that none of the states’ proposed methods of differentiation was without significant limitations, and some appeared to be “largely based on methods of convenience rather than a focus on the underlying causes of schools’ inability to meet AYP.”<sup>xiv</sup> So far, little information is available regarding preliminary outcomes and lessons under the pilot.

**ARRA** – The stimulus law has channeled substantial resources and focused attention on turning around low-performing schools. The Obama Administration has set a national goal of closing 1,000 failing schools each year for the next five years (roughly 5% of all public schools in the U.S.)—yet

the tools and the will to do so have long been lacking in many communities. This week, U.S. Education Secretary Arne Duncan announced draft requirements for accessing about \$3.5 billion in School Improvement Grants (detailed above). The Administration would require states to identify three tiers of schools and implement one of the following “rigorous interventions” in each Tier I or Tier II school:

- Turnaround Model – This would include among other actions, replacing the principal and at least 50 percent of the school's staff, adopting a new governance structure and implementing a new or revised instructional program.
- Restart Model – School districts would close failing schools and reopen them under the management of a charter school operator, a charter management organization or an educational management organization selected through a rigorous review process. A restart school would be required to admit, within the grades it serves, any former student who wishes to attend.
- School Closure – The district would close a failing school and enroll the students who attended that school in other high-achieving schools in the district.
- Transformational Model – Districts would address four specific areas: 1) developing teacher and school leader effectiveness, which includes replacing the principal who led the school prior to commencement of the transformational model, 2) implementing comprehensive instructional reform strategies, 3) extending learning and teacher planning time and creating community-oriented schools, and 4) providing operating flexibility and sustained support.

### **What the Research Says**

Successful school turnarounds—those that take a school from bad to great—are not common. Restructuring or closing and replacing failing schools has proven to be difficult. Where turnarounds occur, varying strategies have been used but strong leadership is always present.

*Education Week* recently found the research base on school turnarounds to be thin. Bryan Hassel, co-director of Public Impact, a consulting firm that has studied turnarounds in education and other fields, told the paper that “there is both a lack of turnarounds in education and a lack of research about turnarounds.”<sup>xv</sup>

Similarly, the American Enterprise Institute’s Rick Hess cautions that “we know of no sector—public or private—in which thousands of entities are each capable of assembling the know-how, talent, and organizational machinery to fix troubled operations. Instead, such capabilities tend to be concentrated in a handful of organizations with specialists and niche consultants. If revitalizing low-performing schools is to occur on a large scale with any consistency, the nation will need to develop a set of effective operators capable of contracting with multiple districts or states to provide the oversight, leadership, knowledge, and personnel to drive restructuring.”<sup>xvi</sup>

That has not happened at significant scale. According to a five-state study by the Center on Education Policy (CEP)<sup>xvii</sup>, “none of the five federal restructuring options was statistically more effective than another in helping schools make adequate yearly progress,” and several have proved challenging for states to implement. For instance, restaffing efforts have been problematic in many schools, particularly those simultaneously trying to navigate strict union regulations.

In many instances, aggressive reforms haven’t even been tried. NCLB allows schools in restructuring to forgo the four primary offered choices in favor of a fifth option: “any other major restructuring of the school’s governance arrangement that makes fundamental reforms.” 86-96% of schools in the five states CEP studied selected that option, though states’ interpretation of it varied. For example, according to CEP, Michigan and Ohio allowed the hiring of turnaround specialists to fulfill the requirement, while Maryland barred schools entering restructuring after 2006-07 from using this as their strategy. Given such variability, some analysts have criticized the “any other” option as a loophole that allows schools to *avoid* meaningful restructuring.

Although research and successful implementation of school turnarounds and restructuring are relatively sparse to date, we know a lot about the elements of a successful school—such as strong leadership, a clearly defined mission, relentless focus on student achievement, knowledgeable teachers, and data-driven decision making—and can apply that knowledge now to the task of school improvement.

Some of these elements are reflected in a “practice guide” released last year by the Institute of Education Sciences (the U.S. Department of Education’s independent research arm) that contained recommendations for local leaders on how to “quickly and dramatically improve student achievement at low-performing schools,” based on experts’ review of existing case studies.<sup>xviii</sup> (IES noted that “high-quality” experimental studies were unavailable.) Primary recommendations were:

- Signal the need for dramatic change with strong leadership;
- Maintain a consistent focus on improving instruction;
- Make visible improvements early in the school turnaround process (quick wins); and
- Build a committed staff.

### **Hearing Guiding Questions**

Beginning with this hearing, the Commission will seek to address the following key questions:

#### ***Overarching questions:***

- What can be done *now* to address chronically low-performing schools?
- How should policy be changed to ensure school improvement activities are timely and effective?

***What do we know today about school improvement?***

- What do the data tell us about the status of schools and improvement efforts under NCLB? How has this changed over time?
- What evidence exists on the most effective approaches to turning around low-performing schools—and can those approaches be taken to scale?

***What levers exist for change?***

- What can states and districts do now to address persistently low-performing schools?
- What levers have been used successfully?
- What barriers prevent swift and effective action to address chronically failing schools and dropout factories?

***What works or doesn't work in the current school improvement structure?***

- How effective has NCLB's sequence of escalating interventions been in improving schools? Have there been any unintended consequences?
- Does the school improvement timeline make sense?
- What early lessons can be drawn from the U.S. Department of Education's differentiated accountability pilot?
- Which school improvement activities are most effective, and under what circumstances? In what circumstances are school closures followed by the opening of new schools the best option?
- How can we increase the impact of parental options such as supplemental educational services (SES or free tutoring) and school choice?

***Where should we go from here?***

- What steps should be taken now to address failing schools?
- What changes are needed in a reauthorized NCLB to ensure that effective school improvement reforms can be successful?
- What immediate solutions can we provide to students trapped in failing schools?
- What flexibility should be provided to schools in school improvement? In which schools and when?

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