

# Title I School Improvement Program

Part I: LEA and School Improvement

2008-2009

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# LEA and School Improvement

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# LEA and School Improvement

## INTRODUCTION

Research indicates and educators know that high-performing schools are complex institutions. At their core are a focus on academics and an unwavering expectation that all children can and will achieve academic proficiency. Surrounding this center are a dedicated staff with a sense of common purpose, strong instructional leadership from the principal, the confidence and respect of parents, and an allocation of resources that supports the school's mission. In high-performing schools, all members of the school community, both individually and collectively, hold themselves accountable for student success.

The No Child Left Behind Act of 2001 (NCLB) was designed to help create high-performing schools. Its cornerstone accountability provisions build upon rigorous academic content and achievement standards, and assessments based on those standards. NCLB expresses the ambitious, long-term goal of proficiency in reading and mathematics for all students by the 2013-14 school year, and delineates specific steps that States, local educational agencies (LEAs), and schools must take to reach that goal. Texas has developed an approved system for implementing the accountability provisions of NCLB by creating a single definition of adequate yearly progress (AYP) for all schools and LEAs throughout the State. This definition includes annual targets for academic achievement, participation in assessments, graduation rates for high schools, and attendance rates for elementary and middle schools. NCLB requires TEA and LEAs to review annually the status of every school, using these defined benchmarks, in order to ensure that the school is making adequate progress toward achieving the long-term proficiency goal of all students being proficient within 12 years.

In addition to detailing school accountability measures and consequences, NCLB focuses increased attention on the performance of LEAs, emphasizing their unique and important leadership role in school improvement. The law requires TEA to conduct an annual review of LEAs to ensure that they, too, are making adequate progress and fulfilling their responsibilities. Reaching or surpassing annual targets for two or more consecutive years merits recognition for LEAs and schools. The law prescribes increasing levels of intervention in LEAs and schools that do not meet adequate yearly progress, ensuring that struggling schools and school districts are provided with increasing amounts of assistance.

Citations found within this guidance document with four digits (generally beginning with §111X) reference the Elementary and Secondary Education Act, as reauthorized by the No Child Left Behind Act of 2001 (NCLB). Three digits citations (beginning with §200) reference the Final regulations, published December 2, 2002.

## **ANNUAL REVIEW OF SCHOOL PROGRESS**

In addition to creating student achievement standards that define what students should know and be able to do, and creating accountability systems to gauge the success of their implementation, States are responsible for monitoring the progress that schools and LEAs make in bringing all children to proficiency in at least the core academic subjects of reading/language arts and mathematics. Although the statute and regulations charge the LEA with reviewing each of its campuses and identifying those that have not made sufficient progress, TEA also plays an important role in this process and is ultimately accountable for it. TEA gathers, analyzes, and maintains student academic assessment data, guaranteeing consistency in the application of accountability provisions across all LEAs and campuses. TEA is also charged with providing campuses and LEAs with effective technical assistance, thus creating a platform for disseminating and reinforcing the use of effective, research-based instructional strategies and practices. Finally, TEA fulfills an oversight function by monitoring the activities of LEAs with campuses in improvement, corrective action, or restructuring status and making an annual judgment about whether or not the LEA itself is fulfilling its responsibilities and making adequate progress.

### **A. REVIEW PROCESS**

#### **A-1. Why do TEA and LEAs conduct an annual review of campus progress?**

TEA and LEAs use the annual review of school progress primarily to determine (1) if a campus has made adequate progress toward all students meeting or exceeding the State's student academic achievement standards by 2013-14, and (2) if a campus has narrowed the achievement gap. The results of the annual review also provide TEA and LEAs with detailed, useful information that they can use to develop or refine technical assistance strategies they employ with schools.

#### **A-2. What data does TEA review?**

TEA has defined AYP in accordance with the Title I statute and regulations in its approved accountability plan. To determine whether or not a campus has made adequate progress, TEA reviews, math (performance and participation), reading/language arts (performance and participation), attendance rates (elementary and middle schools), and graduation rates (high schools).

In conjunction with the LEA, TEA also reviews the effectiveness of each campus' actions and activities that are supported by Title I, Part A funds, including parental involvement and professional development.

#### **A-3. What is the timeline for the review of campus progress?**

TEA, in conjunction with the LEA, must conduct its review of campus progress annually, in the period of time between the release of student results on the State academic assessments and the start of the school year following the administration of the assessments.

Meeting this timeline becomes especially important if the review results in a determination that the campus has not achieved AYP for two or more years and will be identified for school improvement, corrective action, or restructuring. In that case, the timeline must accommodate: (1) the campus's right to review the data that led to the determination; (2) the development and implementation of a school improvement plan; and (3) the need to provide parents with sufficient time to evaluate the public school choice and supplemental educational service options that may be available for their children. §1116(b)(1)(B); §200.32(a)(2)<sup>1</sup>

**A-4. What entity must ensure that this timeline is met?**

TEA is responsible for ensuring that the results of academic assessments administered as part of the State assessment system in a given school year are available in sufficient time for LEAs to review them and for school-level determinations of AYP to be made. §200.49

**A-5. Should officials in individual campuses examine the data that TEA and LEAs review?**

Yes. Examining and analyzing the results of assessments and other data that TEA and LEAs use in their review are effective strategies for continuous school improvement. Assessment data provide campuses with information about the academic performance of student subgroups; analyzing those data encourages the creation of strategies that specifically target the improved achievement of these subgroups. Campuses can use the review data to further refine their instruction and other aspects of their campus program to ensure that they meet the learning needs of all students. Analyzing results from the State assessment system and other relevant data is so important, in fact, that LEAs are required to provide this assistance to campuses identified as in need of improvement. (See D-2.)

**A-6. Does TEA conduct an annual review of campuses that do not receive Title I, Part A funding?**

Yes. The Elementary and Secondary Education Act (ESEA), as amended by the NCLB Act of 2001, requires that TEA annually review the progress of all public schools. This review includes all campuses operated by the LEA, including AEPs and DAEPs. However, non-Title I campuses are not subject to the same interventions for school improvement as Title I campuses.

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<sup>1</sup> Citations with four digits (e.g., §1111) reference the Elementary and Secondary Education Act, as reauthorized by the No Child Left Behind Act of 2001 (NCLB). Three digits citations (e.g., §200) reference the Title I regulations, published December 2, 2002.



**A-7. Do the requirements for the annual review apply to charter schools?**

Yes. Charter schools, like all public schools within a State, are subject to the State's accountability requirements, including its system of review, interventions, and recognition.

**A-8. How must the LEA share the results of a campus' annual review?**

An LEA must publicize and disseminate the results of the annual progress review of its campuses to principals, teachers, parents, and the community. Whether or not their campuses make AYP, principals and teachers can use these results to refine and improve their instructional program to help all children meet challenging academic achievement and performance standards. The results also provide parents and community members with a factual basis for judging the quality of their campus and alert them to opportunities for increased involvement. Required LEA and campus report cards provide one vehicle for LEAs to publicize the results of the annual reviews. §200.30(d)

**A-9. May TEA recognize schools that meet or exceed their annual AYP targets?**

Yes. TEA must designate Title I campuses that have made the greatest gains in closing the achievement gap or exceeding AYP by meeting certain criteria. TEA recognizes Title I Distinguished Schools in two separate categories:

- (1) Distinguished Performance Schools (criteria based on achievement data)
- (2) Distinguished Progress Schools (criteria based on closing the achievement gap)

## SCHOOL IMPROVEMENT PROCESS - CAMPUSES

Every State accountability system articulates interventions and recognition for schools that are tied to their performance relative to annual and long-term academic proficiency targets for all students. TEA and LEAs are required to intervene in campuses that persistently do not meet these targets. These progressively more comprehensive interventions are identified as school improvement, corrective action, and restructuring. Being identified as a campus in need of any of these interventions allows the campus to access assistance in identifying and addressing instructional issues that prevent students who attend that campus from attaining proficiency in the core academic subjects of reading and mathematics. The school improvement process and timeline are designed to create a sense of urgency about reform and to focus identified campuses on quickly and efficiently improving student outcomes.

### **B. SCHOOL IMPROVEMENT – STAGE ONE**

#### **B-1. What causes a campus to enter school improvement status?**

A campus that does not make AYP for the same indicator (reading, mathematics, attendance rate, or graduation rate) for two consecutive years, as AYP is defined by the State's accountability system, must be identified for school improvement.

#### **B-2. What purpose is served by identifying a campus for improvement?**

Identifying a campus for improvement serves as a formal acknowledgement that the campus is not meeting the challenge of successfully teaching all of its students. The identification marks the beginning of the school improvement process, a set of structured interventions designed to help a school identify, analyze, and address issues that prevent student academic success. TEA and LEA will provide a campus that is identified for improvement with extensive support and technical assistance in designing and implementing a plan to improve student achievement.

#### **B-3. May a campus appeal TEA's determination that the campus has not made AYP for two consecutive years?**

Yes. If TEA, after completing its review, determines that a campus has not made AYP for two years in a row, it must provide the campus with an opportunity to review the data, including academic assessment data, on which the proposed identification for school improvement is based.

If the principal or a majority of the campus's parents believe that the identification was made in error for statistical or other substantive reasons, the principal may provide supporting evidence to the LEA who files an appeal with TEA.

#### **B-4. Are campuses that do not receive Title I, Part A funding subject to consequences if they do not meet AYP targets?**

Yes. In its approved accountability system, the State has defined the interventions and

recognition that it will use to hold all LEAs and campuses accountable for student achievement. Therefore, although the interventions that are detailed in §1116 of the ESEA do not statutorily apply to campuses that do not receive Title I, Part A funding, these campuses must revise their campus improvement plan to address the deficit indicator that caused the campus to not make AYP.

**B-5. How does a campus exit from school improvement status?**

A campus identified for improvement must make AYP as defined in its State's accountability system for two consecutive school years in order to exit school improvement status. For example, if a campus does not make AYP for two consecutive years, and must undergo Stage 1 of school improvement during the 2004-05 school year, then in order for the campus no longer to be identified for school improvement, it must make AYP during that school year (2005 AYP status) as well as the 2006 AYP status. The table below illustrates this point.

<i>School Year</i>	<i>School makes AYP (Y/N)</i>
By end of 2002-03	N
By end of 2003-04	N
Beginning of 2004-05	Stage 1, school improvement
By end of 2004-05	Y
By end of 2005-06	Y
Beginning of 2006-07	No longer identified for improvement

**B-6. When the LEA identifies a campus for improvement, what information must it provide to parents?**

When one of its campuses is identified for improvement, the LEA must promptly provide the following information to the parents of each child enrolled in the campus:

- an explanation of what the identification means and how the campus their child attends compares to other elementary and secondary campuses served by the LEA and the State in terms of the academic achievement of its students;
- the reason(s) for the campus being identified for improvement, such as insufficient participation in assessments or one or more subgroups not meeting academic proficiency targets;
- an explanation of how parents can become involved in addressing the academic issues that led to identification; and,
- an explanation of the parents' option to transfer their child to another campus in the LEA that has not been identified for improvement. The notification must provide parents with enough relevant information to help them decide what campus is best for their child and be made well before the beginning of the school year in which this option will be available, so that if parents choose to do so they have sufficient time to exercise their choice option prior to the beginning of the school year.

At a minimum, the LEA must inform parents about the academic achievement level of

students at the campus or campuses to which their child may transfer, but it may also choose to include other information, such as a description of special academic programs, facilities, before-or-after school programs, the professional qualifications of teachers in the core academic subjects, or parent involvement opportunities. The LEA must also explain to parents that it will provide their child with transportation to the campuses that the LEA identifies as options, subject to certain cost limitations.

Additional information on public school choice is available in the Department of Education's Public School Choice Non-Regulatory Guidance accessible online at <http://www.ed.gov/policy/elsec/guid/schoolchoiceguid.doc>. §200.37

**B-7. What information must the LEA provide to both parents and the public *regarding schools identified for improvement*?**

In addition to providing school improvement information to the parents of each student in the campus, the LEA must publish and disseminate, to both parents and the public, information explaining:

- what the campus is doing to address the problem of low achievement; and
  - what the LEA or TEA is doing to help the campus address this problem.
- §1116(b)(6); §200.38

**B-8. What guidelines should LEAs and campuses follow when communicating with parents and the public during the school improvement process?**

Meaningful parental involvement is one of the cornerstones of the reform initiatives contained in the No Child Left Behind Act. Therefore, it is essential that LEAs and campuses communicate with parents throughout the school improvement process and welcome them as key partners in addressing the academic issues that led to the campus being identified for improvement.

Clarity and timeliness of information are essential. The LEA and campus must ensure that required information is provided in an understandable and uniform format (including alternative formats upon request), regardless of the method or media used. To the extent practicable, written communication must be in a language parents can understand, with special attention given to parents of migratory and limited English proficient students. If that is not practicable, the information must be provided in oral translations for parents with limited English proficiency.

The LEA and campus must provide information to parents directly, through regular mail or by e-mail. The same information must also be disseminated through broader means of communication, such as the Internet, the media, and through public agencies serving students and their families.

**B-9. What are the responsibilities of the LEA after a campus is identified for improvement?**

When one of its campuses is identified for its first stage of school improvement, the LEA must:

- Promptly provide notice to a parent or parents of each student enrolled in a campus identified for school improvement in an understandable and uniform format and, to the extent practicable, in a language the parents can understand—
  - an explanation of what the identification means;
  - how the campus compares in terms of academic achievement to other elementary campuses or secondary campuses served by the LEA and the State;
  - the reasons for the identification;
  - an explanation of what the campus identified for improvement is doing to address the problem of low achievement;
  - an explanation of what the LEA or TEA is doing to help the campus address the achievement problem;
  - an explanation of how the parents can become involved in addressing the academic issues that caused the campus to be identified for improvement;
  - an explanation of the parents' option to transfer their child to another public school;
  - establish a peer review process that assists with the review of the Campus Improvement Plan.
- Approve the CIP and assures that it meets the NCLB requirements.
- Provide technical assistance including assistance in analyzing student assessment data and other examples of student work to identify and address problems and solutions to:
  - instruction;
  - implementing the parental involvement requirements;
  - implementing the professional development requirements.
- Provide technical assistance including assistance in identifying and implementing professional development, instructional strategies, and methods of instruction that are based on scientifically based research and that have proven effective in addressing the specific instructional issues that caused the campus to be identified for school improvement; and
- Provide technical assistance including assistance in analyzing and revising the campus budget so that the campus's resources are more effectively allocated to the activities most likely to increase student academic achievement and to remove the campus from school improvement status.

**C. CAMPUS IMPROVEMENT PLAN**

**C-1. What must the campus do when it is identified for improvement?**

The process of school improvement begins with the campus developing a required two-year plan that addresses the academic issues that caused it to be identified for school

improvement. The campus may develop a new plan or revise an existing one, but in either case it must be completed no later than three months after the campus has been identified. §200.41

**C-2. What is the purpose of the campus improvement plan?**

The purpose of the campus improvement plan is to improve the quality of teaching and learning in the campus, so that greater numbers of students achieve proficiency in the core academic subjects of reading and mathematics. The campus improvement plan provides a framework for analyzing problems and addressing instructional issues in a campus that has not made sufficient progress in student achievement, attendance rate, or graduation rate.

**C-3. What topics must the plan address?**

Together, the components of the campus improvement plan should embody a design that is comprehensive, highly structured, specific, and focused primarily on the campus' instructional program. Specifically, the plan must address:

- core academic subjects and the strategies used to teach them,
  - professional development,
  - technical assistance,
  - parent involvement, and must contain
  - measurable goals. The plan should also specify the implementation responsibilities of the campus, the LEA, and the State serving the campus.
- §1116(b)(3)(A)

The CIP should also include all the Schoolwide Program or Targeted Assistance components of the Title I, Part A Program.

**C-4. How must the plan address the campus' core academic subjects and instructional strategies?**

The campus improvement plan must demonstrate that the campus will implement policies and practices grounded in scientifically based research that are most likely to bring all groups of students to proficiency in reading and mathematics. Included among these strategies, as appropriate, would be additional learning activities for students that take place before school, after school, during the summer, and during any extension of the school year.

For campuses in need of improvement, scientifically based research provides a standard by which the principal and teachers can critically evaluate the many instructional strategies and programs that are available to them and choose those with the greatest likelihood of producing positive results. §1116(b)(3)(A); §200.41

**C-5. What are examples of instructional strategies grounded in scientifically based research?**

Strategies grounded in scientifically based research are those that have demonstrated,

over time and in varied settings, an effectiveness that is documented by high-quality educational research. High-quality scientifically based research employs an experimental or quasi-experimental design and produces replicable results, confirmed by peer review, that can be applied to the general population. For example, scientifically based research has shown that explicit instruction in (1) phonemic awareness, (2) phonics, (3) vocabulary development, (4) reading fluency, and (5) reading comprehension is effective in teaching reading to students in grades K-3. Strategies that apply this research in a classroom setting would be grounded in scientifically based research.

Scientifically based research uses rigorous and systematic procedures to obtain reliable and valid knowledge about “what works.” The application of systematic, empirical methods, rigorous data analyses, and an experimental design using randomized trials ensures a high degree of confidence in the results. A complete definition of scientifically based research can be found in section 9101(37) of the reauthorized ESEA.

**C-6. What are examples of policies and practices with the greatest likelihood of ensuring that all groups of students achieve proficiency?**

Policies and practices with the greatest likelihood of ensuring that all students achieve proficiency are those that affect the campus’ teaching and learning program, both directly and indirectly. Policies and practices that have an impact on classrooms include those that build school infrastructures, such as regular data analysis, the involvement of teachers and parents in decision-making, and the allocation of resources to support core goals. Other policies and practices that have a more direct effect on student achievement include the choice of instructional programs and materials, the use of instructional time, and improved use of assessment results. Decisions about the specific policies and practices to be implemented should be based on a thoughtful review and analysis of the individual school’s needs.

**C-7. Can a campus identified for improvement implement a comprehensive school reform model as a part of its campus improvement plan?**

In calling for the use of strategies based on scientifically based research, the ESEA specifically states that a campus can implement a comprehensive school reform model as a part of its improvement plan. Adopting a comprehensive reform model can be an effective strategy, especially if the campus in improvement is in search of an external structure and technical assistance that will help it identify and address organizational and instructional issues. However, a model alone cannot address all of the identified needs of a campus and cannot substitute for a coherent plan for systemic change. The implementation of a comprehensive school reform model, or any other program, must be viewed as one strategy, albeit an important one, in a campus’ comprehensive plan for improvement.

**C-8. Why must the plan address professional development?**

The academic success of students correlates highly with the qualifications and skills of

their teachers. Although by the end of the 2005-06 school year all core academic subject area teachers must be highly qualified, ongoing professional development is crucial to ensure their continuous improvement in the instructional skills needed to help all students meet or exceed proficiency targets on State academic assessments.

**C-9. What kinds of professional development should be provided?**

The professional development component of the school improvement plan should directly address the academic achievement problems that caused the campus to be identified. In most cases, this professional training will focus on the teaching and learning process, such as increasing content knowledge, the use of scientifically based instructional strategies, especially in core academic subjects, and the alignment of classroom activities with academic content standards and assessments. Another example of useful professional development would be training teachers to analyze classroom and campus-level data and use it to inform their instruction. The professional development detailed in the campus improvement plan must be provided in a manner that affords increased opportunity for teachers to participate, and must incorporate teacher mentoring activities or programs. §1116(b)(3)(A)(iii)(III) and (x); §200.41

**C-10. Why must the campus improvement plan contain provisions for teacher mentoring?**

This requirement reflects statutory and regulatory support not only for recruiting and hiring highly qualified teachers, but for strategies to retain them. Currently many teachers leave the profession within five years of beginning their teaching careers. Mentoring programs pair novice teachers with more experienced professionals who serve as role models and provide practical support and encouragement. High-quality, structured mentoring programs have a positive effect on the retention of qualified teachers.

**C-11. What is the source of funding for the professional development detailed in the campus improvement plan?**

A campus identified for improvement must spend not less than 10 percent of its allocation of Title I, Part A funds, for each fiscal year that the school is in improvement, for the purpose of providing high-quality professional development to the campus' teachers, principal and, as appropriate, other instructional staff. The campus improvement plan must provide an assurance that this expenditure will take place. §1116(b)(3)(iii)

**C-12. What is "high-quality" professional development?**

"High-quality" professional development is professional development as defined in the reauthorized ESEA (section 9101(34)). In general, the definition recommends professional development that is sustained and classroom-focused. It must contribute to an increase both in teachers' knowledge of the academic subjects they teach and in their use of effective, scientifically based instructional strategies with a diverse range of students. It must be provided over time and not take the form of one-day or short-term workshops. High-quality professional development is an integral part of effective improvement plans, at



both the campus and LEA levels.

**C-13. How must the campus improvement plan address parental involvement?**

The campus improvement plan must address parental involvement in two ways. First, it must describe how the campus will provide the parents of each student enrolled with written notice about the campus' identification for improvement. Second, the plan must specify the strategies that will be used to promote parental involvement. Effective strategies will engage parents as partners with teachers in educating their children and will involve them in meaningful decision-making at the school. §1116(b)(3)(A)(vi) and (viii)

**C-14. Why must a campus improvement plan contain measurable goals?**

By establishing measurable goals, a campus in improvement clearly articulates the purposes and intended outcomes of its improvement plan. In addition, the goals provide a means of tracking the campus' progress over the two years of the plan.

Since campuses identified as in need of improvement already have a history of not meeting the academic needs of all of their students, it is especially important in this plan that their goals are clear and are tightly focused on the fundamental teaching and learning issues that have prevented the school from making adequate progress. The measurable goals must promote continuous and substantial progress to ensure that students in each subgroup enrolled in the campus meet the State's annual measurable objectives.

The ultimate purpose of setting and achieving measurable goals is to improve student academic achievement, remove the identified campus from school improvement status, and build its capacity to meet adequate yearly progress in the future. §200.41(c)(4)

**C-15. If the campus identified for improvement has an existing plan, must it create a new plan to meet the school improvement requirements?**

No. A campus with an existing plan may use the three months after school improvement identification to review and revise the existing plan to ensure that it incorporates the required statutory elements. However, for any plan to serve as a useful tool for improvement, it must address identified needs, contain realistic goals and strategies, and reflect the commitment of staff, students, parents, and community to its implementation. If the existing plan has not served as a functional tool for improving student achievement, the campus and its students might be better served by beginning the planning process again, assessing needs, and creating a new realistic plan that can and will be implemented and has a high likelihood of increasing student achievement.

**C-16. Who must be involved in developing the campus improvement plan?**

In developing or revising its plan, the campus must consult with parents, campus staff, the LEA, and outside experts. Ideally these outside experts will serve as technical assistants and partners with the campus throughout the plan's implementation. §200.41

**C-17. What is the review process for the campus improvement plan?**

Peer reviewers must consider a proposed plan for school improvement within 45 days of its submission, through a process established by the LEA. The LEA should involve as peer reviewers teachers and administrators from campuses or districts similar to the one in improvement, but significantly more successful in meeting the learning needs of their students. Staff with demonstrated effectiveness and recognized expertise in school improvement will be able to evaluate the plan's quality and the likelihood of its successful implementation, and make suggestions for revisions.

§1116(b)(3)(E)

**C-18. Under what timeline must the LEA approve the campus improvement plan?**

Once the peer review of the proposed plan has been completed, the LEA must work with the campus to make any necessary revisions and must approve the plan as soon as it satisfactorily meets the requirements detailed in the statute and regulations. It is essential that the campus draft the plan, and the LEA revise and approve it, as expeditiously as possible since it provides the blueprint for changes designed to dramatically improve the academic achievement of all students.

**C-19. May the LEA condition its approval of a campus improvement plan?**

Yes. Once the LEA has conducted a peer review of the proposed campus improvement plan, it may approve the plan with conditions it deems necessary to ensure the plan's successful implementation. For instance, the LEA may condition its approval on feedback on the plan from parents and community leaders. The LEA may also choose to approve the plan on the condition that the school undergoes one or more corrective actions. These corrective actions can include implementing a new curriculum with appropriate professional development, significantly decreasing campus-level management authority, or changing the internal organization of the campus.

**C-20. According to what timeline must the campus improvement plan be implemented?**

In order to realize improvement as quickly as possible, a campus must implement its new or revised campus improvement plan as soon as the LEA approves it, preferably during the school year in which the identification was made and no later than the beginning of the school year following its identification for improvement.

**D. SCHOOL IMPROVEMENT – TECHNICAL ASSISTANCE**

**D-1. What is the LEA's responsibility for providing technical assistance to a campus in improvement?**

The LEA bears the primary responsibility for ensuring that the campus in improvement status receives technical assistance as it develops or revises its campus plan and throughout the plan's implementation. Technical assistance is practical advice offered by an expert source that addresses specific areas for improvement.

The LEA is not required to provide the technical assistance directly, although it may choose to do so. Other acceptable technical assistance providers include an institution of higher education; a private, not-for-profit or for-profit organization; an educational service center; or another entity with experience in helping campuses improve academic achievement.

**D-2. In what areas must the LEA assist a campus in improvement?**

Technical assistance for a campus identified for improvement must focus on strengthening and improving the campus' instructional program. It must help the campus address the issues that caused it to make inadequate progress for two consecutive years. Specifically, the LEA must ensure that the campus in need of improvement receives technical assistance based on scientifically based research in three areas:

- Data analysis: the LEA must help the campus to analyze results from the State assessment system and other relevant examples of student work. The LEA must teach campus staff how to use these data to identify and solve problems in instruction; to strengthen parental involvement and professional development; and to fulfill other responsibilities that are defined in the campus improvement plan.
- Identification and implementation of strategies: the LEA must help the campus choose effective instructional strategies and methods and ensure that the campus staff receives high quality professional development relevant to their implementation. The chosen strategies must be grounded in scientifically based research and address the specific instructional issues that caused the campus to be identified for improvement.
- Budget analysis: reallocating resources to support improved student achievement is crucial to the successful implementation of the initiatives contained in the No Child Left Behind Act. The LEA must provide the campus in improvement with technical assistance in analyzing and revising its budget to fund activities most likely to increase student achievement and remove it from school improvement status. §1116(b)(4); §200.40(c)(1)

In all three of these areas, the LEA has the opportunity to support thoughtful analysis and capacity building at the local level, both of which will not only help the campus to improve, but will also help to sustain the improvement over time.

**D-3. What factors should the LEA take into account as it devises an assistance plan for a campus in need of improvement?**

Assisting campuses in need of improvement creates a major accountability challenge for LEAs. Because of the likelihood that many campuses will be identified for improvement under the rigorous accountability provisions contained in the No Child Left Behind Act, LEAs may be tempted to consider formulating a single assistance plan for all of its campuses so designated. To the extent feasible, the LEA should avoid taking this approach. Campuses in need of improvement are more likely to be in need of

individualized assistance comprised of strategies and interventions that recognize and address their unique challenges.

It is crucial that the LEA align its assistance with the campus improvement plan being developed by the campus. Both the campus improvement plan and the LEA assistance plan should be based on a close analysis of the campus' demographic and achievement data, such as on subgroup performance, and a comprehensive needs assessment that identifies both strengths and weaknesses. This close analysis will enable the LEA to target more accurately available resources to address identified deficiencies. The goals, objectives, and action steps that result from the comprehensive analysis must realistically address the campus' needs and systematically move it toward improvement. Involving teachers, campus administrators, and parents in this planning and decision-making is crucial to its successful design and implementation of the LEA's assistance.

**D-4. What is TEA's responsibility for providing technical assistance to a campus in improvement?**

The specific technical assistance responsibilities of the State are (1) to reserve and allocate Title I, Part A funds for school improvement activities; and (2) to create and sustain a statewide system of support that provides technical assistance to campuses identified for improvement. This technical assistance is provided through the School Improvement Resource Center (SIRC) at Region XIII ESC. The SIRC website is available at: <http://www.esc13.net/statewide/sirc/>.

**D-5. What must TEA do to assist campuses identified as in need of improvement?**

TEA must use a portion of its reserved Title I, Part A funds to create and maintain a statewide system of intensive and sustained support and improvement designed to increase the opportunity for all students and campuses to meet the State's academic content and achievement standards. Within this statewide support system, TEA must make technical assistance available consistent with the following priorities:

- The first priority must be (a) LEAs with campuses in corrective action, and (b) campuses for which an LEA has not carried out its statutory and regulatory responsibilities regarding corrective action or restructuring.
- The second priority must be LEAs with campuses identified as in need of improvement.
- The third priority must be Title I LEAs and campuses that need additional support and assistance. §§1116(b)(14); §1117(a)(2); §200.49(b)

**D-6. What is a school support team?**

A school support team is a group of skillful and experienced individuals charged with providing struggling campuses with practical, applicable, and helpful assistance in order to increase the opportunity for all students to meet the State's academic content and student

academic achievement standards. Each support team must be comprised of individuals who are knowledgeable about scientifically based research and practice and its potential for improving teaching and learning. In addition, support team members should be familiar with a wide variety of campus reform initiatives, such as schoolwide programs, comprehensive school reform, and other means of improving educational opportunities for low-achieving students.

Typically, support teams will include some or all of the following: (1) highly qualified or distinguished teachers and principals; (2) pupil services personnel; (3) parents; (4) representatives of institutions of higher education; (5) representatives of educational laboratories or regional technical assistance centers; (6) representatives of outside consultant groups; or (7) other individuals that TEA, in consultation with the LEA, may deem appropriate. An extensive knowledge base, wide-ranging experience, and credibility are essential qualifications for support team members. §1117(a)(5)(a)

#### **D-7. What are the responsibilities of the school support team?**

The school support team has one primary responsibility: assisting the campus in strengthening its instructional program to improve student achievement. Specifically, the school support team must:

- Review and analyze all facets of the campus' operation, including the design and operation of the instructional program, using the findings from this review to help the campus develop recommendations for improved student performance;
- Collaborate with campus staff, LEA staff, and parents to design, implement, and monitor a meaningful and realistic campus improvement plan that can be expected to help the campus meet its improvement goals if implemented;
- Monitor the implementation of the campus improvement plan and request additional assistance from the LEA or TEA that either the campus or the support team needs; and
- Provide feedback at least twice a year to the LEA, and to TEA when appropriate, about the effectiveness of the personnel assigned to the campus. The team must also identify outstanding teachers and principals.

Clearly, the overall charge of the support team is to help the campus create and implement a coherent, efficient, and practical plan for improvement. Effective support team members will possess the knowledge, skills, experience, and interpersonal skills that will enable them to address and counter the chronic problems that are symptomatic of campuses in need of improvement. §1117(b)

**D-8. How long should the school support team continue to work with a campus in need of improvement?**

After one year of working with the campus, the support team should consult with the LEA and make a "next-steps" recommendation to TEA. The team should recommend either (1) that the team continue to assist the campus or (2) that the LEA or TEA, as appropriate, take alternative action with the campus.

**D-9. What responsibility does TEA have to assist campuses in need of improvement?**

The LEA has primary responsibility for assisting its campuses that do not make adequate progress toward meeting established student academic achievement targets. However, if the LEA does not carry out its responsibilities in this area, TEA must take the actions it determines to be appropriate, in compliance with State law concerning school governance. §200.49(d). TEA provides technical assistance through the School Improvement Resource Center housed at Region 13 ESC. See <http://www5.esc13.net/sirc/> for more information.

**E. SCHOOL IMPROVEMENT – STAGE TWO**

**E-1. What causes a campus to enter stage two of school improvement status?**

If a campus in school improvement status for one school year does not, during the course of that year, make AYP as it is defined by the State accountability system, it must be identified for stage two of school improvement status. For example, if a campus that implements stage one of school improvement during the 2004-05 school year does not make AYP by the end of that year (2005 AYP status), it must implement stage two during the 2005-06 school year.

<i>School Year</i>	<i>School makes AYP (Y/N)</i>
By end of 2002-03	N
By end of 2003-04	N
Beginning of 2004-05	Stage 1, school improvement
By end of 2004-05	N
Beginning of 2005-06	Stage 2, school improvement

**E-2. May an LEA delay implementing the second stage of school improvement?**

An LEA may only delay the implementation of stage two of school improvement if, after undergoing one year of school improvement, (1) the campus makes adequate yearly progress as defined by its State accountability system, or (2) the campus does not make AYP due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the district or campus. (This would require extensive documentation and approval by TEA.)

This delay is temporary (it may not exceed one school year), and it is not intended to reset the sequence of school improvement, corrective action, or restructuring that is detailed in the statute. The LEA may not take the delay into account in determining the

number of years a campus has missed its AYP targets and must, after the delay, subject the campus to further actions as if the delay never occurred.

For example, if a campus undergoes stage one of school improvement during the 2004-2005 school year but meets its AYP targets on the basis of results of academic assessments administered during that year, the LEA may delay placing the campus in stage two of school improvement during the 2005-2006 school year. During this delay, the campus must continue to implement its campus improvement plan and provide public school choice. If the results of assessments administered during the 2005-2006 school year indicate that the campus has once again not made AYP targets, then for 2006-2007 the campus must implement the requirements of stage two of school improvement. During this year the campus must, in addition to continuing implementation of its improvement plan, provide both choice and, to eligible students, supplemental educational services.

<i>School Year</i>	<i>School makes AYP (Y/N)</i>
By end of 2002-03	N
By end of 2003-04	N
During 2004-05	Stage 1, school improvement
By end of 2004-05	Y
During 2005-06	Delay; choice provided.
By end of 2005-06	N
During 2006-07	Stage 2, school improvement; choice and supplemental services provided.

**E-3. Must the LEA continue to provide technical assistance during this delay?**

Since the campus must continue to implement its improvement plan during the delay, and since the LEA is required to provide technical assistance throughout the implementation of the campus improvement plan, the LEA must continue to provide technical assistance during the delay period.

**E-4. What notification requirements apply when a campus enters stage two of school improvement?**

When a campus is identified for stage two of school improvement, the LEA must promptly notify the parents of each child enrolled in the campus of:

- Their option to transfer their child to another, higher-performing public school campus served by the LEA. (See B-6.)
- The availability of supplemental educational services for eligible children. The LEA must provide the names of approved providers of services available within the LEA or within a reasonable distance of that area, along with a brief description of the services, qualifications, and demonstrated effectiveness of these providers. For more detailed information on the provision of supplemental educational services, please see the Department of Education’s Supplemental Educational Services Non-Regulatory Guidance at <http://www.ed.gov/policy/elsec/guid/suppsvcsguid.doc>.

**E-5. What assistance is available to a campus in stage two of improvement?**

During its second stage of school improvement, an LEA must ensure that the campus continues to receive the technical assistance that was begun in stage one; that assistance should be focused specifically on the continued implementation of the campus improvement plan.



## CORRECTIVE ACTION FOR CAMPUSES

If, after two years of undergoing school improvement, implementing a campus improvement plan, and receiving extensive technical assistance, a campus still does not make adequate yearly progress, the State and LEA must identify it for corrective action. Identifying a campus for corrective action signals the LEA's intention to take greater control of the campus' management and to have a more direct hand in its decision-making. This identification signifies that the application of traditional school improvement methods and strategies has been unsuccessful and that more significant intervention is needed to improve learning conditions for all students. Taking corrective action is designed to increase substantially the likelihood that all students enrolled in the campus will meet or exceed the State's proficient levels of achievement.

### F. CORRECTIVE ACTION PROCESS – STAGE THREE

#### F-1. What is corrective action?

Corrective action is a significant intervention in a campus that is designed to remedy the campus' persistent inability to make adequate progress toward all students becoming proficient in reading and mathematics. (See also F-4.)

#### F-2. What causes a campus to be identified for corrective action?

If a campus that receives Title I, Part A funds does not make AYP for four consecutive years, the LEA must identify the campus for corrective action.

For example, if a campus does not make AYP as defined by its State accountability system by the end of the 2002-03 and the 2003-04 school years, the LEA must identify it for stage 1 school improvement, to begin with the 2004-05 school year. At the end of that campus year, if the campus does not make adequate progress, it must be identified for stage 2 school improvement, to be implemented during the 2005-06 school year. If by the end of the 2005-06 year the campus still does not meet its annual target, the LEA must identify that campus for corrective action, to be implemented during the 2006-07 school year.

<i>School Year</i>	<i>School makes AYP (Y/N)</i>
By end of 2002-03	N
By end of 2003-04	N
Beginning of 2004-05	Stage 1, school improvement
By end of 2004-05	N
Beginning of 2005-06	Stage 2, school improvement
By end of 2005-06	N
Beginning of 2006-07	Corrective action

#### F-3. What notification requirements apply when a campus is identified for corrective action?

If a campus is identified for corrective action, the LEA must promptly notify the parents of

each child enrolled in the campus. The notification must explain:

- What the identification means, and how academic achievement levels at this campus compare to those at other campuses in the LEA and in the State.
- Why the campus was identified and how they as parents can become involved in addressing the academic issues that led to the identification.
- The parents' option to transfer their child to another campus in the LEA that has not been identified for school improvement. The LEA must provide parents with information that helps them make an informed decision about whether or not to exercise this option. At a minimum, the LEA must tell parents about the academic achievement level of students at the campus or campuses to which their child may transfer, but the LEA may choose to include additional information as well. (See also B-6.)
- How parents of eligible children can obtain supplemental educational services for their child. This notice must include information about the availability of providers and brief descriptions of their services, qualifications, and effectiveness. (See also E-4.)

**F-4. What are the responsibilities of the LEA when the State identifies a campus for corrective action?**

If a State identifies a campus for corrective action, the LEA must:

- Continue to ensure that all students have the option to transfer;
- Continue to ensure that supplemental educational services are available to eligible students in the campus; and
- Continue to provide technical assistance to the campus.

In addition, the LEA must take at least one of the following corrective actions:

- Institute and fully implement a new curriculum, including providing appropriate professional development for all relevant staff, that is based on scientifically based research and offers substantial promise of improving educational achievement for low-achieving students and enabling the campus to make AYP;
- Extend the length of the school year or school day;
- Replace the campus staff who are deemed relevant to the campus not making adequate progress;
- Significantly decrease management authority at the campus;
- Restructure the internal organization of the campus; or
- Appoint one or more outside experts to advise the campus (1) how to revise and strengthen the improvement plan it created while in school improvement status; and (2) how to address the specific issues underlying the campus' continued

inability to make AYP. §1116(b)(7)(C); §200.42 This expert must be in addition to the required TAP or if using the TAP as this corrective action an additional corrective action must be implemented in addition to the required TAP.

**F-5. What technical assistance is available to a campus in corrective action?**

The LEA must continue to provide technical assistance to a campus in corrective action, either directly, through the statewide system of support, or through the use of other entities such as institutions of higher education, educational service centers, or private organizations. (See D-1.)

Because being in corrective action is a sign of serious problems with the instructional program of a campus, providing technical assistance for a campus in corrective action demands a high degree of skill and expertise. The providers of technical assistance should have experience in complex problem analysis; effective, scientifically based curriculum and instruction; and working with teachers to create positive change.

**F-6. How does a campus exit from corrective action status?**

An LEA may remove a campus from corrective action if the campus makes AYP, as defined by the State accountability system, for two consecutive years after it is identified.

<i>School Year</i>	<i>School makes AYP (Y/N)</i>
Beginning of 2006-07	corrective action
By end of 2006-07	Y
Beginning of 2007-08	corrective action
By end of 2007-08	Y
Beginning of 2008-09	No longer in corrective action/school improvement

## SCHOOL RESTRUCTURING – STAGE FOUR

In some cases, ensuring that all children have the opportunity to achieve requires that the LEA make an extensive intervention in the functioning of a campus identified for school improvement. A campus that continues to miss its annual achievement targets for several years is a campus where some students have not mastered challenging content in the core academic subjects of reading and mathematics over a sustained period of time. As a stage in the school improvement process, restructuring requires major changes in a campus' operation.

### G. SCHOOL RESTRUCTURING – YEAR ONE (PLANNING)

#### G-1. What is restructuring?

In restructuring the LEA undertakes a major reorganization of a campus, making fundamental reforms, such as significant changes in the campus' staffing and governance. The purpose of restructuring is to improve student academic achievement and enable the campus to make AYP as defined by the State's accountability system. (See also G-7.)

#### G-2. What causes a campus to be identified for restructuring?

A campus is identified for restructuring if it does not make AYP after one school year of corrective action.

<i>School Year</i>	<i>School makes AYP (Y/N)</i>
By end of 2001-02	N
By end of 2002-03	N
Beginning of 2003-04	Year 1, school improvement
By end of 2003-04	N
Beginning of 2004-05	Year 2, school improvement
By end of 2004-05	N
Beginning of 2005-06	Corrective action
By end of 2005-06	N
Beginning of 2006-07	Year 1 restructuring (planning)

#### G-3. What is the timeline for the restructuring process?

As defined in NCLB, school restructuring is a two-step process. Under the first step, the LEA must prepare a restructuring plan and make arrangements to implement the plan if a campus does not meet its AYP targets after one full year of corrective action (fifth year of not making AYP). The second step occurs if, during the school year in which the LEA is developing the restructuring plan, the campus does not make AYP for a sixth year. In this case, the LEA must implement the restructuring plan no later than the beginning of the following school year.

The following example illustrates this timeline: If a campus is in corrective action during the 2005-06 school year and during that school year does not meet AYP, it will be identified for restructuring. The first year of restructuring (the planning year) will be the 2006-07 school year. If, once again during that year, the campus does not meet AYP, the campus will enter its second year of restructuring during the 2007-08 school year, in which the LEA will implement its restructuring plan. §1116(b)(8)

**G-4. What notification requirements apply when a campus is identified for restructuring?**

When an LEA identifies a campus for restructuring, it must –

- Provide both parents and teachers with prompt notice of the decision;
- Provide both groups with the opportunity to comment before it takes any restructuring action; and
- Invite both teachers and parents to participate in the development of the campus' restructuring plan. §1116(b)(8)(C)

Additional notification required for parents is similar to the notice required when a campus enters corrective action. The LEA must notify the parents of all children enrolled in the campus and explain –

- What the identification means, and how academic achievement levels at this campus compare to those at other campuses in the LEA;
- Why the campus was identified and how they as parents can become involved in addressing the academic issues that led to the identification;
- Their option to transfer their child to another public school in the LEA that is not identified for improvement, corrective action, or restructuring; and
- The supplemental educational services that are available to eligible children.

**G-5. What action must an LEA take when it identifies a campus for restructuring?**

When it identifies a Title I campus for restructuring, an LEA must:

- Continue to ensure that all students have the option to transfer to another public school in the LEA that is not identified for improvement, corrective action, or restructuring;
- Continue to ensure that supplemental educational services are available to eligible students; and
- Prepare a plan to implement an alternative governance system for the campus. §200.43(b)(1), (2), and (3).

**G-6. What responsibilities does an LEA have to parents of the children in a campus that is planning for restructuring?**

The process for developing a restructuring plan must be open and collaborative. As noted in G-4, when a campus is slated for restructuring, the LEA must promptly notify parents about both what is being done to improve the campus and how parents can be involved in the development of any restructuring plan. The LEA must provide parents and teachers an opportunity to comment before the LEA develops the restructuring plan or takes any restructuring actions. Parents and teachers must also be provided the opportunity to participate in the development of any restructuring plan.

The parental notification requirements, along with the parental involvement provisions of NCLB, encourage LEAs and campuses to explore strategies and tools to involve parents as meaningful and effective partners in their child's education. Successful parental involvement approaches develop parents as leaders and equal partners in the schooling process. These approaches do not begin and end when an LEA identifies a campus for restructuring.

Parents need to be well informed about the campus' progress so they can make good decisions about their child's education. If a campus does not make AYP for a fifth year, parents will want to know why, and they should be given information about the extent of the problem and the types of restructuring options the LEA is considering to address the needs of students in the campus. One approach is to hold collaborative, face-to-face community outreach meetings with parents to explain the restructuring options under NCLB and the data the LEA is using to make restructuring decisions. The LEA can use this outreach as an opportunity to establish a wider conversation about the campus and invite greater parent participation in their child's education — including participation in activities that support the campus' student achievement goals. The more transparent campuses and LEAs are about student achievement and the overall condition of a campus, the more likely that parents will be involved in the campus and the public school system.

**G-7. What alternative governance arrangements must an LEA plan to implement?**

The restructuring plan that an LEA prepares must include one of the following "alternative governance" arrangements for the campus, consistent with State law:

- Reopen the campus as a public charter school;
- Replace all or most of the school staff, which may include the principal, who are relevant to the campus' inability 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 campus as a public school;

- Turn the operation of the campus over to the TEA if this action is permitted under State law and the State agrees; or
- Implement any other major restructuring of the school's governance arrangement that is consistent with the NCLB principles of restructuring. (See H-2.)

The list of available alternative governance arrangements are meant to afford an LEA multiple options so that the LEA can choose the best one to address the needs of students in each identified campus. Each option leverages a significant shift in how the campus is governed. The purpose of restructuring is for the campus to improve its ability to teach all children and achieve annual academic performance targets. By achieving this purpose, the campus is also removed from restructuring status. §1116(b)(8)(B)

**G-8. What constitutes “other major restructuring of the school’s governance” under §1116(b)(8)(B)(v) of NCLB?**

The focus of the school restructuring requirement is on the alternative governance arrangements that an LEA must carry out in a campus that does not make AYP for five or more years. In preparing a restructuring plan, §1116(b)(8)(B)(v) permits an LEA to choose “any other major restructuring of the school’s governance arrangement that makes fundamental reforms, such as significant changes in the school’s staffing and governance, to improve academic achievement in the campus and that has substantial promise of enabling the campus to make adequate yearly progress.” This restructuring option provides the LEA the flexibility to choose additional reform solutions that best meet the needs of students in the campus and community. Examples of such efforts may include:

- Change the governance structure of the campus in a significant manner that either diminishes school-based management and decision making or increases control, monitoring, and oversight of the campus’ operations and educational program by the LEA;
- Close the campus and reopen it as a focus or theme school with new staff or staff skilled in the focus area (e.g., math and science, dual language, communication arts);
- Reconstitute the campus into smaller autonomous learning communities (e.g., school-within-a-school model, learning academies, etc.);
- Dissolve the campus and assign students to other campuses in the district;
- Pair the campus in restructuring with a higher performing campus so that K-3 grades from both campuses are together and the 4-5 grades from both campuses are together; and
- Expand or narrow the grades served, for example, narrowing a K-8 campus to a K-5 elementary campus.

See G-10 for a broader discussion on non-governance issues that the LEA and school planners must address in planning for restructuring, including assessment, curriculum, professional development, etc.

**G-9. If the restructuring process results in the creation of a new campus, may that restructured campus be treated like any other new campus in the State's accountability system?**

Yes, if in fact the restructured campus is legitimately and legally a new campus. While most of the restructuring options outlined in section 1116(b)(8)(B) of Title I would not result in the creation of a new campus, it is possible that some restructuring options might. If, as a result of restructuring, a campus is significantly reconfigured (for example, to serve different students and different grades) and accordingly meets the State's definition of a new campus, that campus may be treated like any other new campus in the State. Depending on the State's operational rules, this may mean starting over on the school improvement timeline.

TEA will determine whether the restructuring has, in deed, created a new campus. For example, a State derives an AYP determination for the new campus based on the scores of students feeding into the campus or the AYP determinations of the campuses from which the new campus is created. In other cases, when an AYP determination cannot be derived, a State starts the new campus afresh in the school improvement timeline. How TEA will treat a new campus should depend on the extent to which the campus has changed. For example, adding one grade, such as kindergarten, would likely not constitute a new campus; however, adding three new grades out of six might.

**G-10. What process should an LEA follow to determine which "alternative governance" option is the right one and matches the reason the campus is in year four of improvement?**

In determining which alternative governance option to employ, LEA leaders need to understand how and when each option works to improve student learning based upon the campus' strengths and weaknesses. The restructuring process must be substantial enough to transform and sustain change. The variety and rigor of restructuring options under NCLB allow an LEA to choose one or more "alternative governance" interventions that best address the identified needs of the campus and campus community. While these restructuring options can be described as discrete and can be categorized into particular types, none should be applied as an isolated quick fix (e.g., a principal change, a replacement of most or all staff, or contracting with an external education management provider). The restructuring intervention will likely not address all of the identified needs of a campus and cannot substitute for a coherent plan for systemic change. The intervention the LEA chooses should be viewed as one strategy in a campus' comprehensive plan for improvement.

In choosing an alternative governance option, the LEA and campus planners should consider what has occurred in the campus that resulted in its being identified for restructuring. Also, the restructuring plan should take into account the actions initiated in



prior years. In other words, the actions required under the restructuring plan might be seen as deeper, broader, or more targeted to meet identified needs. For example, the LEA should make distinctions between campuses in restructuring status that have experienced some improvement in student achievement and those that do not, and tailor the restructuring interventions accordingly. The LEA should use AYP to target the unique needs of a campus' students to improve its ability to teach all children and achieve annual academic performance targets. By achieving this purpose, the campus is also removed from restructuring status.

An LEA must also consider that governance changes alone will not likely produce significant changes in student performance without also considering such issues as staff development, curricula, instruction, use of technology, assessment, and other factors that are essential for success. Hiring and retaining qualified teachers and principals who are committed to restructuring can facilitate implementation. A highly skilled principal who is committed to restructuring is critical to authentic change; however, changing campus leadership alone will likely not lead to significant change without the new principal being committed to restructuring and having the authority to make staffing and curricula changes. It has also become increasingly clear from research and practice that campus leaders alone cannot bring about the desired improvement in the educational system in isolation - the restructuring plan will require the active support and involvement of campus and district personnel, parents, teachers, business and community organizations, State education personnel, governmental agencies and others.

**G-11. What type of “alternative governance option” should be chosen for a campus that has been identified solely due to the performance of a specific student subgroup (i.e., students with disabilities, students with limited English proficiency, students who are economically disadvantaged) or solely due to insufficient participation?**

Under NCLB, campuses must show AYP in making sure that all students achieve academic proficiency in order to close the achievement gap. Therefore, campuses need to be accountable for all students. To achieve that goal, AYP is intentionally designed to identify those areas where campuses need to improve the achievement of their students. The ESEA aims to improve the achievement of all students and recognizes that campuses must ensure that all student groups receive the support they need to achieve to high standards. By including students with disabilities, students with limited English proficiency, students who are economically disadvantaged, and other student subgroups in the overall accountability system, the law makes their achievement everybody's business in the school.

The primary goal of the NCLB is to improve academic achievement through high expectations and high-quality education programs. The statute works to achieve that goal by focusing on school accountability, teacher quality, parental involvement through access to quality information and choices about their children's education, and the use of evidence-based instruction. In determining which alternative governance option the campus should implement, LEA and campus staff should analyze the causes of why individual students are not learning, identify barriers to learning that affect students, and seek solutions to correct the problems. Planning for restructuring does not necessitate a

"one size fits all" response and is intended to stimulate new thinking about how to address such concerns as the professional development needs of teachers, using appropriate instructional approaches, and effective organization and management of instruction. For example, a campus undergoing restructuring may not be able to improve instruction without attending to leadership, improve leadership without emphasizing parent involvement, or concentrate on high-quality programs and evidenced-based student interventions without identifying the specific problem areas and underlying causes.

Any Title I campus in which any group of students fails to meet the AYP goal must be identified as in need of improvement, and all such campuses that are identified are subject to the timeline for improvement required under Section 1116. Regardless of the degree to which a campus is not making AYP, an LEA must take actions to address the needs of all the campus' students and improve achievement, provide public school choice for all students in any school that is identified for improvement, and provide supplemental educational services for eligible students in campuses that continue to not make AYP, as required under Section 1116.

**G-12. NCLB states that small, rural school districts may contact the Secretary of Education for assistance in restructuring. What assistance will the Department provide for such requests?**

The Department has arranged for 21 comprehensive technical assistance centers (16 regional centers and five content centers) to provide technical assistance to small, rural school districts that request assistance from the Department in restructuring the schools that they serve. The new Regional Centers provide frontline assistance to States to help them implement the ESEA and other related Federal school improvement programs and help increase State capacity to assist districts and schools meet their student achievement goals. In addition, the Department funds five Content Centers (Center on Assessment and Accountability, Center on Instruction, Center on Teacher Quality, Center on Innovation and Improvement, and Center on High Schools) that will supply much of the common research-based information, products, guidance, analyses, and knowledge on certain key NCLB topics that the Regional Centers will use when working with States. Information about the comprehensive centers is available at <http://www.ed.gov/programs/newccp/awards.html>.

Further, a school district that meets the statutory requirements (a district that has an average daily attendance of fewer than 600 students and serves only campuses with a National Center for Education Statistics locale code of 7 or 8) may participate in the Rural Education Achievement Program (REAP). Under REAP, these districts receive additional flexibility (REAP-Flex) in the use of formula funds they receive under the Improving Teacher Quality State Grants, Educational Technology State Grants, State Grants for Innovative Programs, and Safe and Drug-Free Schools and Communities State Grants programs. Under the REAP-Flex authority, an eligible school district may consolidate and use the funds from the programs mentioned above to carry out activities authorized under Part A of Title I, including school restructuring activities. In addition, rural school districts eligible to use REAP-Flex generally receive a formula allocation under the Small, Rural School Achievement (SRSA) program. An eligible school district could use its award under the SRSA program to support school restructuring activities.

**G-13. Must an LEA continue to provide technical assistance to a campus in year one of restructuring?**

The purpose of the restructuring provisions under section 1116(b)(8) is to require an LEA to take strong actions to improve campuses that have not made AYP for a number of years. Because the LEA has direct oversight and involvement in the restructuring process, it should provide a campus being restructured with ongoing assistance that addresses the identified needs of the campus' students and prepares the campus and community to implement the restructuring options the LEA has selected to improve the educational opportunities for students. Thus, technical assistance from the LEA is imperative and implicit in the concept of restructuring, even though it is not explicitly required under the statute. The technical assistance provided to a campus being restructured should focus on helping the campus make substantive and significant changes in its approaches to teaching and learning by emphasizing the use of student achievement data and research to inform instructional strategies. Additionally, the assistance should help the campus with budget allocation, professional development for principals and teachers, and other strategies necessary to ensure the restructuring plan is implemented and sustained in the future.

**G-14. What effect do the school restructuring requirements have on an LEA's collective bargaining agreements?**

Section 1116(d) provides that none of the provisions for school improvement, corrective action, or restructuring for failure to make AYP may reduce the rights or remedies of employees under the terms of a collective bargaining agreement. That section specifically reads as follows:

(d) CONSTRUCTION – Nothing in this section [Title I, Academic Assessment and Local Educational Agency and School Improvement] shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

The provision must be implemented in concert with the purpose of Title I, which is quite clear: "to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and State academic assessments." [Section 6301]. The statement of purpose further declares that this purpose can be accomplished, in part, by "significantly elevating the quality of instruction" and by "holding schools, local educational agencies, and States accountable for improving the academic achievement of all students, and identifying and turning around low-performing schools that have failed to provide a high-quality education to their students, while providing alternatives to students in such school to enable the students to receive a high-quality education." [Section 6301(10)(4)].

Therefore, an LEA that accepts funds under Title I of the ESEA must comply with all statutory requirements, notwithstanding any terms and conditions of its collective bargaining agreements. Although section 1116(d) does not invalidate employee protections that exist under labor law or under collective bargaining and similar labor agreements, it does not exempt SEAs, LEAs, and schools from compliance with Title I, Part A. It is the Department's view that such agreements should not exempt campus officials from any obligations related to the purpose of Title I, or the school improvement, corrective action, or restructuring requirements in section 1116.

State and LEA authorities, as well as State legislatures and local governing boards, need to ensure that changes in State and local laws are consistent with Title I requirements and that any changes to collective bargaining agreements or new agreements are also consistent with Title I.

**G-15. In light of collective bargaining agreements and employee protections, what are suggested alternatives to replacing staff that may be contributing to the campus being identified for restructuring?**

Replacing all or most of the campus staff is only one of several restructuring options available to an LEA, and there is a great deal of flexibility in how to implement this option. For example, in carrying out a restructuring plan, some LEAs, in conjunction with putting a new principal in place, require all staff to reapply for their positions and to be part of the restructuring process, or to apply for a position in another school in the district. In other districts, LEA staff and unions have worked together to include provisions in their contracts to compensate teachers for working longer school days and longer school years as part of a restructuring arrangement.

An LEA may also use Title I, Part A and Title II, Part A funds to provide financial incentives and rewards to teachers in campuses in restructuring status. An LEA may provide, where appropriate under section 1113(c)(4) of the Title I statute, not more than five percent of its Part A allocation for financial incentives and rewards to teachers who serve students in Title I campuses identified for school improvement, corrective action, and restructuring, for the purpose of attracting and retaining qualified and effective teachers.

An LEA may use Title II, Part A funds to develop and implement strategies and activities to recruit, hire, and retain highly qualified teachers and principals. These strategies may include (a) providing monetary incentives such as scholarships, signing bonuses, or differential pay for teachers in academic subjects or campuses in which the LEA has shortages; (b) reducing class size; (c) recruiting teachers to teach special needs children, including students with disabilities; and (d) recruiting qualified paraprofessionals and teachers from populations underrepresented in the teaching profession, and providing those paraprofessionals with alternate routes to obtaining teacher certification. (See Improving Teacher Quality State Grants, ESEA Title II, Part A, Non-Regulatory Guidance, August 3, 2005)

**G-16. How does a school that is planning for restructuring or implementing a restructuring action exit restructuring status?**

Under 34 C.F.R. 200.43(c)(2), a school that is in restructuring status (e.g. during the 2006-07 school year) and makes AYP for two consecutive years (e.g. based on achievement data for the 2006-07 and 2007-08 school years) may exit that status. This is the same rule that applies to Title I schools at any stage of the school improvement process.

The exception to this rule would be, as a result of restructuring, a school is significantly reconfigured to serve different students and different grades, and accordingly meets the State's definition of a "new school." This new school may be treated like any other new school in the State. Depending on the State's operational rules, this may mean removing the school from restructuring status and starting over on the school improvement timeline. (See also G-9.)

**H. SCHOOL RESTRUCTURING – YEAR TWO (PLAN IMPLEMENTATION)**

**H-1. What causes a campus to enter year two of restructuring?**

If a campus completes the restructuring plan but does not make AYP by the end of that year as it is defined by its State's accountability system, the campus must be identified for year two of restructuring. During year two of restructuring, the LEA must implement the restructuring plan it has created for the campus.

<i>School Year</i>	<i>School makes AYP (Y/N)</i>
By end of 2001-02	N
By end of 2002-03	N
Beginning of 2003-04	Stage 1, school improvement
By end of 2003-04	N
Beginning of 2004-05	Stage 2, school improvement
By end of 2004-05	N
Beginning of 2005-06	Corrective action
By end of 2005-06	N
Beginning of 2006-07	Restructuring
By end of 2006-07	N
Beginning of 2007-08	Alternative Governance

**H-2. What action must the LEA take when one of its campuses is identified for year two of restructuring?**

If, after being identified for restructuring and continuing to receive technical assistance, a campus still does not make adequate yearly progress, the LEA must implement the restructuring plan it has devised for that campus, no later than the beginning of the school year following the one during which the campus was in restructuring. (For example, if the campus is in restructuring during the 2003-04 school year and does not make AYP, the implementation of the restructuring plan, alternative governance must take place during the 2004-05 school year.)

During the implementation of the plan, the LEA must also:

- Continue to provide all students with the option to transfer to another public school campus in the LEA that is not identified for improvement, corrective action, or restructuring; and
- Continue to make supplemental educational services available to all eligible students. §200.43(b)(1), (2), and (3)

**H-3. What notification requirements apply when a campus is identified for year two of restructuring?**

Additional notification required for parents is similar to the notice required when a campus enters corrective action or year one of restructuring. The LEA must notify the parents of all children enrolled in the campus and explain –

- What the identification means, and how academic achievement levels at the campus compare to those at other campuses in the LEA and in the SEA;
- Why the campus has been identified and actions taken by the campus and the LEA to address the problems that led to the campus' identification;
- How parents can become involved in addressing the academic issues that led to the identification and a description of the parental involvement opportunities available to parents;
- Options available to parents to transfer their child to another public school in the LEA that is not identified for improvement, corrective action, or restructuring; and
- The supplemental educational services that are available to eligible children. (See also E-4 and G-4) §200.37; §200.38; §200.43

**H-4. What technical assistance must the LEA provide, or provide for, while the campus is in year two of restructuring?**

Because the restructuring options under NCLB are designed to change campuses significantly, implementation is complex. All require adjustments to campus' financial operations, and some may require additional resources, particularly if the campus must train staff to work together in new ways.

During year two of restructuring, while the LEA's plan is being implemented, the LEA should continue to provide the campus with quality technical support and assistance that address the complexities of implementation. This assistance will be especially valuable in helping the campus staff to remain focused on increasing student achievement while the campus is adjusting to potentially radical alterations to its administrative and governance structures.

**H-5. Must a campus identified for restructuring spend not less than 10 percent of its allocation of Title I, Part A funds for professional development?**

No. Section 1116(b)(3)(A)(iii) of the ESEA only requires a campus identified for improvement to spend not less than 10 percent of its allocation of Title I, Part A funds for high-quality professional development for each fiscal year that the campus is in improvement. The statute does not require a campus identified for corrective action or restructuring to spend not less than 10 percent of its Title I, Part A funds for professional development. However, because professional development is critical in the restructuring process, the LEA and campus planners should consider how Title I funds, along with other Federal, State, and/or local resources, can be used to support high-quality professional development that is directly connected to the reform efforts identified in the campus' restructuring plan. As such, because it is permissible under ESEA for a campus identified for restructuring to use part of its allocation of Title I, Part A funds for high-quality professional development, campuses are strongly encouraged to do so.

**H-6. If a campus completes two years of restructuring, what is its status relative to the school improvement timeline?**

A campus that undergoes the restructuring process for two years (one year of planning and one year of implementation) continues to be accountable for the academic achievement of its students. Although it might have a changed curriculum, different staff, and/or a radically different governance structure, the restructured campus must continue to offer choice and supplemental services until it makes AYP for two consecutive years.

The exception to this rule would be, as a result of restructuring, a campus is significantly reconfigured to serve different students and different grades, and accordingly meets the State's definition of a "new school." This new school may be treated like any other new school in the State. Depending on the State's operational rules, this may mean removing the campus from restructuring status and starting over on the school improvement timeline. (See also G-9.)

<i>School Year</i>	<i>School makes AYP (Y/N)</i>
By end of 2001-02	N
By end of 2002-03	N
Beginning of 2003-04	Year 1, school improvement
By end of 2003-04	N
Beginning of 2004-05	Year 2, school improvement
By end of 2004-05	N
Beginning of 2005-06	corrective action
By end of 2005-06	N
Beginning of 2006-07	Year 1 restructuring (planning)
By end of 2006-07	N

Beginning of 2007-08	Year 2 restructuring
By end of 2007-08	Y
Beginning of 2008-09	Year 3 restructuring
By end of 2008-09	Y
Beginning of 2009-10	No longer in restructuring

**H-7. What are the expectations after a school has been restructured?**

Because restructuring is only one part of an integrated improvement process, best practices suggest that LEA and school planners should rigorously monitor the implementation and effectiveness of all the school's improvement activities and make changes as needed to ensure that the strategies are contributing to the desired outcome of improved and sustained student achievement. Schools that have been restructured must continue to offer choice and supplemental educational services until they exit restructuring status. (See also G-5.) Further, the LEA should continue to provide technical assistance to the school to ensure that the necessary support is available to increase the potential for sustained improvement and success.

**H-8. Does the LEA or school need to submit some type of report or a plan to the TEA describing how the school has been restructured?**

Under the statute, LEAs are responsible for implementing an alternative governance arrangement and therefore, are the first line in the decision-making process. The ESEA does not require the LEA or a school to submit to the TEA a restructuring plan or a report describing the alternative governance arrangements the LEA is implementing in a campus identified for restructuring. However, the TEA, under its general authority to ensure that Title I of the ESEA is implemented according to the statute, has significant authority to ensure that alternative governance arrangements are implemented in ways that are most likely to get good results. Under this general authority, the TEA may choose to have more significant involvement in district decision-making, such as by collecting and reviewing plans or participating in plan development, modification, and monitoring. Under specific circumstances, the TEA must intervene and take appropriate actions to carry out its responsibilities under section 1116(b)(14) of the ESEA. For example, should the TEA determine that the LEA failed to develop and implement a plan for a campus identified for restructuring, as a corrective action the TEA could require the LEA to develop and submit the plan and related progress reports to the State for review and approval. (See also H-10.)

The TEA must also ensure that the LEA is implementing a restructuring plan that contains fundamental reforms that have substantial promise to improve student academic achievement and enable a campus to make AYP.



**H-9. Are there consequences if an LEA does not undertake required planning for campuses in Restructuring Year 1 or implementing restructuring plans for campuses in Restructuring Year 2?**

Any Title I campus in which any group of students fails to meet the AYP goal must be identified as in need of improvement, and all such campuses that are identified are subject to the timeline for improvement, corrective action, and restructuring as required under Section 1116. Regardless of the degree to which a campus is not making AYP, an LEA must take actions to address the needs of the campus and improve student achievement. The statute stipulates specific actions an LEA must take when it identifies a campus for restructuring. (See also G-5 and H-2.)

States are responsible for ensuring that LEAs with campuses subject to restructuring begin planning for restructuring and implement their restructuring plan according to the timeline in the statute. Section 1116(b)(14)(B) of the ESEA specifies that if the TEA determines that an LEA fails to carry out its responsibilities under the statute, such as not beginning to plan or implementing its restructuring plan according to the required timeline, the TEA must intervene and take appropriate actions to correct the situation, in compliance with State law. As such, States have a wide range of tools to enforce the statute, including (1) the assignment of a State support team to the campus, (2) collecting and reviewing plans and progress reports, and (3) withholding of funds.

**H-10. What information and resources are available to help district and State leaders choose the best restructuring option for each campus? Where can LEAs and campuses access information about school restructuring?**

States, LEAs, and campuses may wish to consult the following resources sponsored by the Department to seek information and materials about school improvement interventions and the effectiveness of particular improvement strategies or designs. The examples provided should not be viewed as the "only" or the "best" resources available. They are provided to help SEAs, LEAs, and schools consider the range of options available and to stimulate thinking about school restructuring in the context of creating high-performing schools.

- **The Center for Comprehensive School Reform and Improvement** (<http://www.centerforcsri.org/>) houses an online research center that includes a database of useful articles and research reports on whole-school reform and improvement, and provides access to information about reform models, technical assistance providers, and program evaluation. The Center, in conjunction with the North Central Regional Educational Laboratory, has developed a series of white papers identifying best research practices about the NCLB restructuring options. These resources, School Restructuring Options Under No Child Left Behind — What Works When, are available as follows:
  - Reopening as a Charter School (<http://www.centerforcsri.org/pubs/restructuring/KnowledgeIssues2Chartering.pdf>)

- Turnarounds with New Leaders and Staff  
(<http://www.centerforcsri.org/pubs/restructuring/KnowledgeIssues4Turnaround.pdf>)
- Contracting with External Providers  
(<http://www.centerforcsri.org/pubs/restructuring/KnowledgeIssues3Contracting.pdf>)
- State Takeovers  
(<http://www.centerforcsri.org/pubs/restructuring/KnowledgeIssues1StateTakeovers.pdf>)
- The Department has arranged for 21 **comprehensive technical assistance centers** (16 regional centers and five content centers) to provide technical assistance to States in their work with LEAs and schools to close achievement gaps in core content areas and raise student achievement in schools. The 16 Regional Centers provide frontline assistance to States to help them implement the ESEA and other related Federal school improvement programs and help increase State capacity to assist districts and schools meet their student achievement goals. In addition, the Department funds five Content Centers (Center on Assessment and Accountability, Center on Instruction, Center on Teacher Quality, Center on Innovation and Improvement, and Center on High Schools) that will supply much of the common research-based information, products, guidance, analyses, and knowledge on certain key NCLB topics that Regional Centers will use when working with States. The Center on Innovation and Improvement, for example, will gather data and other information on districts and schools that are making sustained gains to identify the strategies that are proving to be successful in improvement efforts. Information about the comprehensive centers program is available at <http://www.ed.gov/programs/newccp/awards.html>.
- The Department's Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students (OELA) provides national leadership in promoting high-quality education for the nation's population of limited English proficient students. OELA funds a **National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs (NCELA)** that provides resources about various elements of school reform in programs designed to assist language minority students. These include an emphasis on high academic standards, school accountability, professional development, family literacy, early reading, and partnerships between parents and the communities. For more information visit <http://www.ncele.gwu.edu/oela/>.
- The Technical Assistance Alliance for Parent Centers supports a unified technical assistance system for the purpose of developing, assisting and coordinating Parent Training and Information Projects and Community Parent Resource Centers under the Individuals with Disabilities Education Act (IDEA). This project is funded by the Department's Office of Special Education Programs and consists of one national center and six regional centers. The project is funded to strengthen the connections to the larger technical assistance network and fortify partnerships between parent centers and State education systems at the regional and national levels. The website

has a link to scientifically based research resources. For more information visit <http://www.taalliance.org/>.

- The **What Works Clearinghouse (WWC)** (<http://www.whatworks.ed.gov>) provides access to comprehensive reports reviewing evidence of effectiveness of educational interventions. The WWC collects, screens, and identifies studies of the effectiveness of educational interventions (programs, products, practices, and policies).

## **ANNUAL REVIEW OF LEA PROGRESS**

Because LEAs are the primary conduits for implementing school-level accountability, it is especially important that the State monitor their progress, provide them with assistance, and intervene in their operation when necessary. The ESEA and its regulations provide a detailed description of the State's oversight role, which includes monitoring not only progress on measures of student academic proficiency, but also LEA activities regarding technical assistance, professional development, and parental involvement.

### **I. LEA REVIEW PROCESS**

#### **I-1. Why does TEA annually review all LEAs in the State?**

TEA must annually review the progress of each LEA in the State that receives funds under Title I, Part A to determine whether the campuses served by the LEA are making adequate progress in meeting the State's student academic achievement standards. The state also considers the graduation rate for high schools and attendance rates for elementary and middle schools.

This review focuses primarily on the results of State-administered academic assessments in each campus in the LEA, to determine whether all defined subgroups met annual measurable objectives and student participation targets. However, TEA review also determines whether an LEA is carrying out its responsibilities with respect to school improvement, technical assistance, parental involvement, and professional development. If the State determines that the LEA is not making adequate progress, it must identify the LEA for improvement. §200.50(a)(1)(i)

#### **I-2. Does TEA review LEAs that do not receive Title I, Part A funding?**

Yes. The Elementary and Secondary Education Act (ESEA), as amended by the NCLB Act of 2001, requires that TEA annually review the progress of all LEAs as a part of the State's single, statewide accountability system.

#### **I-3. Should an LEA examine the data that TEA reviews?**

Yes. LEAs can and should analyze the data TEA reviews and apply the findings to the development of improvement strategies. The data provide a consistent set of indicators by which an LEA can assess not only individual campuses but also the LEA's overall performance. The findings can be used to shape LEA policies and procedures, especially those that affect curriculum, management, and budget allocation.

#### **I-4. If after conducting its review, TEA proposes to identify an LEA for improvement, must the LEA be given an opportunity to review the data?**

Yes. Before the final AYP release identifying an LEA for improvement, the State must provide the LEA with an opportunity to review the data on which it has based the proposed identification. If the LEA believes that the proposed identification is in error for statistical or

other substantive reasons, the State must consider any supporting evidence that the LEA provides to refute the identification. TEA must make a final determination regarding the identification of the LEA no later than 30 days after the LEA is notified of the pending action. §1116(c)(5)

**I-5. What notification requirements apply during the LEA review and after the results of the review are determined?**

Throughout the LEA review process the SEA must communicate with parents, ensuring that it provides information in an understandable and uniform format, including alternative formats upon request; and to the extent practicable, in a language that parents can understand. The SEA must provide information to the parents of each student enrolled in a school served by the LEA both directly, through regular or e-mail, and indirectly, using the Internet, the media, or public agencies serving the student population and their families. If the SEA does not have access to individual student addresses, it may distribute information through the LEA or schools.

Once the LEA review is completed, the SEA must promptly publicize and disseminate the results to the LEAs, school staffs, the parents of each student enrolled in a school served by the LEA, students, and the community. (See also J-3.)

**I-6. If, after conducting its review, an SEA determines that an LEA has exceeded its annual AYP objectives for two consecutive years, may it reward the LEA?**

Yes. A reward structure for LEAs and schools that make significant progress toward reaching the long-term goal of proficiency in core academic subjects of reading/language arts and mathematics by 2013-14 is an integral part of every State's accountability plan. Toward that end, the SEA may reserve funds to reward LEAs that have met their annual targets for two consecutive years. The SEA may reserve for these rewards up to five percent of the excess allocation it receives; this excess is defined as the positive difference between a State's Title I, Part A allocation in one fiscal year and its allocation for the previous fiscal year. §1116(c)(2), §1117(b), and (c)(2)

## **LEA IMPROVEMENT**

### **J. LEA IMPROVEMENT – STAGES ONE AND TWO**

**J-1. Which LEAs must TEA identify for improvement?**

TEA must identify for improvement any LEA that, for two consecutive years, does not make adequate progress for the same indicator. §200.50(d)

**J-2. Is it possible for an LEA to be identified for improvement even if none of its campuses are so identified?**

Yes, it is possible for an LEA to be identified for improvement even if none of its campuses are identified. Adequate yearly progress for an LEA is determined by

aggregating the results of academic achievement measures in reading/language arts and mathematics, student participation rates in these assessments, graduation rates for high schools and attendance rates for middle schools and elementary schools. Tested subgroups that are not large enough to meet the minimum group size at an individual campus will, in many cases, reach or surpass that number at the LEA level, and thus be included in the calculation of whether or not the LEA has made adequate progress.

For example, TEA may have decided on a minimum group size of 30 for any subgroup included in the accountability system. If an LEA within that SEA has two elementary schools, each of which has 20 limited English proficient (LEP) students, then neither school has enough LEP students for their assessment scores to be included in the campus' accountability determination. However, when aggregated at the LEA level, there are assessment results for 40 LEP students (10 or more than the minimum 30). In this case, the LEA would be held accountable for the progress of LEP students as a subgroup.

**J-3. Must the State notify the public when an LEA is identified in stage 1 or stage 2 school improvement?**

Yes, TEA provides public notice of improvement status on the TEA website.

**J-4. If TEA identifies an LEA for improvement, what actions must the LEA take?**

If TEA identifies an LEA for improvement, the LEA must develop or revise an improvement plan, no later than three months after the identification. In developing or revising this plan, the LEA must consult with parents, school staff, and others. §200.52

**J-5. What is the purpose of the LEA improvement plan?**

The purpose of the LEA improvement plan is to address the deficiencies in the LEA that prevent students in its campuses from achieving proficiency in the core academic subjects of reading, mathematics, attendance rate and/or graduation rate. Improving the centralized leadership structure of a school district is difficult and complex work. The improvement plan must analyze and address LEA insufficiencies as they relate to leadership for campuses, governance and fiscal infrastructures, and curriculum and instruction. The plan-writing process should result in a determination of why the LEA's previous efforts to improve were ineffective and a framework of detailed action steps to improve on those efforts.

**J-6. What components must the LEA improvement plan contain?**

The purpose of the LEA plan is to improve student achievement throughout the LEA. Therefore, the plan overall must identify actions that, if implemented, have the greatest likelihood of accomplishing this goal.

Specifically, the plan must:

- Address the fundamental teaching and learning needs of campuses in the LEA, especially the academic problems of low-achieving students;
- Define specific measurable achievement goals and targets for each of the student subgroups whose disaggregated results are included in the State's definition of AYP;
- Incorporate strategies grounded in scientifically based research that will strengthen instruction in core academic subjects;
- Include, as appropriate, student learning activities before school, after school, during the summer, and during any extension of the school year;
- Provide for high-quality professional development for instructional staff that focuses primarily on improved instruction;
- Include strategies to promote effective parental involvement in the campuses served by the LEA; and
- Include a determination of why the LEA's previous plan did not bring about increased student academic achievement.

The plan must also specify the fiscal responsibilities of the LEA and detail the required technical assistance that TEA will provide. §1116(c)(7)(A); §200.52

**J-7. What is the implementation timeline for the LEA improvement plan?**

The LEA must implement its improvement plan, whether new or revised, expeditiously, but no later than the beginning of the school year immediately following the year in which the assessments were administered that resulted in the LEA's identification for improvement by TEA.

**J-8. What is the source of funding for the high-quality professional development required when the LEA is identified for improvement?**

When an LEA is identified for improvement, it must reserve not less than 10 percent of its Title I, Part A funds for high-quality professional development for instructional staff that is specifically designed to improve classroom teaching. The LEA must continue to reserve and use these funds for this purpose during each fiscal year it is identified for improvement.

LEAs may include in this 10 percent total the Title I, Part A funds that campuses within the LEA reserve for professional development when they are in school improvement status. However, the LEA may not include in the total any part of the funds designated to help teachers who are not highly qualified become highly qualified, as specified in §1119(1) of the ESEA. §1116(c)(7)(A)(iii)

**J-9. Must TEA provide technical assistance to an identified LEA?**

Yes. If requested, TEA must provide or arrange for the provision of technical or other

assistance to the LEA identified for improvement. §1116(c)(9)(A)

**J-10. In what areas should the SEA provide technical assistance?**

The technical assistance provided by the SEA must apply effective methods and instructional strategies grounded in scientifically based research and be of the nature to help the LEA to:

- Develop and implement its required plan;
- Work more effectively with its schools identified for improvement; and
- Address problems the LEA may have with implementing parental involvement measures and providing high-quality professional development. §1116(c)(9)(B); §200.52

**J-11. How does an LEA exit from improvement status?**

If, after being identified for improvement, an LEA makes AYP for two consecutive years, the LEA exits improvement status. §200.50(h)

**K. LEA CORRECTIVE ACTION**

**K-1. What is corrective action as it applies to an LEA?**

Corrective action is the collective name given to steps taken by TEA that substantially and directly respond to serious instructional, managerial, and organizational problems in the LEA that jeopardize the likelihood that students will achieve proficiency in the core academic subjects of reading and mathematics. (See also K-5.)

**K-2. What causes an LEA to be identified for corrective action?**

TEA must take corrective action if an LEA does not make AYP for four consecutive years. However, because the healthy functioning of the LEA is so crucial to campus and student academic success, TEA may, after providing technical assistance, identify an LEA for corrective action at any time in the improvement process. §1116(c)(10)

**K-3. Must the SEA provide prior notice and a hearing before it identifies an LEA for corrective action?**

If State law provides for a notice and hearing, the SEA that identifies an LEA for corrective action must notify the LEA and provide it with a public hearing no later than 45 days following TEA's decision. §1116(c)(10)(D)

**K-4. Are there any circumstances under which TEA can delay the implementation of corrective action in an LEA?**

TEA may choose to delay LEA identification for corrective action if the LEA makes adequate yearly progress for one year. Otherwise, only extreme circumstances justify a



delay, such as a natural disaster, precipitous and unforeseen decline in the financial resources of the LEA, or other exceptional or uncontrollable circumstances (This would require extensive documentation and approval by TEA.) In any case, if the State chooses to delay identification, it may do so for only one year and in subsequent years must apply appropriate interventions as if the delay never occurred. §1116(c)(10)(F)

**K-5. Must TEA notify the public when an LEA is identified for corrective action?**

Yes, TEA provides public notice of improvement status on the TEA website.

**K-6. What actions must TEA take in an LEA that it identifies for corrective action?**

If TEA identifies an LEA for corrective action, TEA must: (1) continue to ensure that the LEA is provided with technical assistance; and (2) take at least one of the following corrective actions, as consistent with State law:

- Defer programmatic funds or reduce administrative funds;
- Institute and fully implement a new curriculum based on State and local content and academic achievement standards that includes appropriate, scientifically research-based professional development for all relevant staff;
- Replace LEA personnel who are relevant to the inability of the LEA to make adequate progress;
- Remove individual campuses from the jurisdiction of the LEA and arrange for their public governance and supervision;
- Appoint a receiver or trustee to administer the affairs of the LEA in place of the superintendent and school board; and/or
- Abolish or restructure the LEA.

In conjunction with at least one of the actions on this list, TEA may also authorize parents to transfer their child from a school operated by the LEA to a higher-performing public school operated by another LEA that is not identified for improvement or corrective action. If it offers this option, TEA must also provide transportation or provide for the cost of transportation to the other school. §1116(c)(10)(C)

**K-7. How does an LEA exit from corrective action status?**

An LEA may exit from corrective action status when it makes adequate progress for two consecutive years following its identification for corrective action.

## Appendix A

The chart below illustrates the relationship of school improvement, corrective action, and restructuring, and the possible consequences for a single school as it moves through the school improvement process.

AYP = Adequate Yearly Progress; SI = School Improvement, Year 1 and Year 2; CA = Corrective Action; R = Restructuring, Year 1 and Year 2

