MODEL LEGISLATION
FOR AN EQUITABLE, DEMOCRATIC
SCHOOL TURNAROUND PROGRAM

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Model Legislation for an Equitable, Democratic School Turnaround Program

Tara Kini, Public Advocates

This report, a companion document to Democratic School Turnarounds: Pursuing Equity and Learning from Evidence, presents model state legislation to create a state-level school improvement grant program that fosters equitable, democratic, and sustainable school turnarounds in persistently low-performing schools. The proposed legislation is designed to create structures to promote meaningful community engagement in the school turnaround process and to support those turnaround efforts. It is also designed to lead to well-crafted, comprehensive turnaround plans that take into account the local school and community context and to provide a robust, democratically-created accountability system that leads to real and significant improvements for students in the state’s lowest-performing schools. Although the proposed legislation is designed for state policy makers, it can also serve as a model for strengthening the federal School Improvement Grant program.
A BILL FOR AN ACT

AN ACT TO CREATE
THE DEMOCRATIC SCHOOL TURNAROUND PROGRAM

Be it enacted by the Legislature of the State of ABC that Title XXX is amended to include a new Article 123, which reads as follows:

ARTICLE 123
DEMOCRATIC SCHOOL TURNAROUND PROGRAM

Section 100. Legislative Declarations and Findings.
The Legislature finds and declares that:

(a) All public school students in the state are entitled to an education that prepares them to succeed in college and their careers, to participate meaningfully in our democracy, and to contribute positively to the future of our state.

(b) Throughout the state, many students have been provided with insufficient opportunities to obtain an education that prepares them for college, career, and civic engagement. In this Act, the schools enrolling these students are referred to as the state’s “persistently low-performing schools.”

(c) Dramatic actions and investments are needed to dramatically improve or to turn around the state’s persistently low-performing schools.

(d) The state’s most successful schools are built around a vision of student and school success that is broadly shared by all stakeholders in the local school community.
(e) Long-term improvements in school performance must be sustained by the local community. To turn around persistently low-performing schools, the local community must have the opportunity to develop a shared vision and a concrete school improvement plan designed to make that vision a reality. That community and its schools must also receive a substantial infusion of resources as necessary to carry out the turnaround plan. The entire school community can and should be then held accountable, based on multiple measures of school success, for meeting the goals that the community has set for itself.

(f) A democratic school turnaround process requires the engagement of a broad cross-section of the school community, including teachers, parents, and community organizations, in planning and implementing turnaround strategies that are tailored to each school and district context.

Section 101. Democratic School Turnaround Planning Grants.

(a) It is the intent of the Legislature that the Democratic School Turnaround Program benefit the students attending the state’s persistently low-performing schools, beginning with the lowest-performing five percent of schools. By [DATE], the State Board of Education shall promulgate regulations for determining school performance, for defining the term “persistently low-performing school,” and for governing the eligibility of local educational agencies and schools for the Democratic School Turnaround Planning Grant Program. These regulations shall use multiple measures of school opportunities to learn and school outcomes.

(b) All “persistently low-performing schools” shall be eligible for a single Democratic School Turnaround Planning Grant in the amount of $225,000. As a condition of receiving funds under this section, the school shall comply with the planning grant requirements pursuant to section 103 of this Article and, within twenty-four (24) months of receiving funds under this section, submit to the State Department of Education a School Improvement Plan pursuant to section 104 of this Article.

Section 102. Democratic School Turnaround Program Grants.

(a) Any persistently low-performing school that has successfully exited the Democratic School Turnaround Planning Grant Program may apply for assistance under the Democratic School Turnaround Program.

(b) The State Department of Education shall use a peer review process to review applications for assistance under the Democratic School Turnaround
Program. The State Department of Education shall publish the selection criteria used to select peer reviewers as well as the selection criteria that peer reviewers use to evaluate applications.

(c) The State Department of Education shall award Democratic School Turnaround Program grants in a manner that, to the extent possible, ensures that the grants target schools in which high-need students are concentrated; represent a diverse distribution of grade levels; and are distributed throughout different geographic regions of the state.

(d) Local educational agencies shall receive Democratic School Turnaround Program funding on behalf of funded schools for up for five years. For years one through three, the rate shall be one thousand dollars ($1,000) per enrolled pupil in funded schools per year. For years four and five, the rate shall be five hundred dollars ($500) per enrolled pupil in funded schools per year.

(e) The State Department of Education or its designee shall at the completion of a funded school’s third year of funding, and every year thereafter, make a determination as to whether the school has met or exceeded the accountability benchmarks set forth in the school’s School Improvement Plan for that year. The determination shall be based upon a review of materials submitted by the school and local educational agency, as well as available state data.

(f) The State Department of Education shall terminate funding for any school that has not met at least eight (8) of its ten (10) accountability benchmarks for that year. A school that has had its funding terminated may appeal for reinstatement to the State Board of Education.

Section 103. Democratic School Turnaround Planning Grant Requirements.

(a) Each local educational agency receiving a Democratic School Turnaround Planning Grant under this Article shall, for each school for which it has received a grant, do each of the following:

1. Hold at least two accessible public hearings at the school site to discuss what it means to be an eligible persistently low-performing school and to describe the school improvement planning process required as a condition of receipt of funds under a Democratic School Turnaround Planning Grant, including the opportunities for family and community participation.

2. Though a public process, establish a School Improvement Team which shall include, but is not limited to, the school principal, two
teachers from the school, two parents of students at the school, a
community representative, a local educational agency staff member
with expertise in school improvement, and—for high schools—a
student in grade nine, ten or eleven at the school.

(A) During a planning period of not less than one full school year, the
School Improvement Team shall, in regularly scheduled public
meetings:

(i) Conduct a comprehensive assessment of the school’s capacity
and needs, as well as factors outside of the school that
influence student success. The assessment shall incorporate
qualitative and quantitative indicators and openly describe
how they were used.

(ii) Develop a shared vision for the school, set forth in a School
Improvement Plan as required under section 104 of this
Article. The Plan shall implement the shared vision and shall
include, but not necessarily be limited to, tangible short-term
changes and three- to five-year reform benchmarks. The
shared vision and School Improvement Plan shall be informed
by parent, student, teacher, and community input obtained
through surveys, accessible public meetings, and other means.

(3) In collaboration with the School Improvement Team, publicly present
at an accessible public hearing, and provide an opportunity for public
comment on, the School Improvement Plan as well as the steps the
local educational agency will take to support implementation of the
School Improvement Plan.

(b) Each local educational agency receiving two or more Democratic School
Turnaround Planning Grants shall establish a Democratic School
Turnaround Advisory Committee which shall include, but not be limited to,
representatives from each school site receiving a planning grant pursuant to
this Article and local educational agency staff members with responsibility
for implementing the Democratic School Turnaround Program. The purpose
of the Democratic School Turnaround Advisory Committee shall be to
facilitate the exchange of information among school sites as well as within
the broader community on best practices and lessons learned during the
school turnaround process.

(c) As used in this section, the term “accessible” means a public meeting that—

(1) is held during evening or weekend hours;

(2) provides two-way translation for participants who are not proficient
in English, where fifteen percent or more of the students enrolled in
the funded school speak a single primary language other than
English;

(3) provides free child care; and
(4) is announced at least three days in advance using at least three methods of communication that are designed to reach a majority of the school community and to result in attendance by a substantial percentage of parents representing each major student subgroup at the school.

Section 10.4. School Improvement Plan Requirements.

(a) Each School Improvement Plan shall include each of the following:

(1) A description of the School Improvement Team’s planning process, including steps taken to obtain stakeholder input, the extent and nature of that input, the results of the comprehensive assessment of the school’s capacity and needs, and a description of the school’s shared vision.

(2) Comprehensive strategies to improve teaching and learning including, but not limited to, each of the following:

(A) a plan, developed in collaboration with the local educational agency, to hire and retain staff at the school who are fully certified in the grade and subject matter they will teach and who have demonstrated their ability to effectively carry out their responsibilities under the School Improvement Plan;

(B) a plan to provide staff with ongoing, high-quality, job-embedded, and cumulative professional development that is designed in collaboration with school staff to provide them with the necessary knowledge and skills to implement the School Improvement Plan, including knowledge of the community in which in the school is located and the student population it serves as well as strategies for effective family engagement;

(C) a plan, developed in collaboration with the local educational agency, to support students and teachers and to promote the continuous use of student data to inform and differentiate instruction in order to meet the academic and other needs of individual students and to support the school in meeting the accountability benchmarks established in the School Improvement Plan;

(D) a plan, which may include scheduling changes and expanded learning time, to ensure that staff have adequate opportunities for the collaboration necessary to implement the School Improvement Plan, such as for common planning, grade-level or subject-area team meetings, professional development, peer observations, and reviews of student progress;
(E) a plan, developed in collaboration with the local educational agency and with a preference of mainstreamed and heterogeneous classroom environments, for identifying and providing additional supports to low-achieving students and to students with specialized needs, such as students with disabilities and English learners; and

(F) a plan to provide specific and ongoing opportunities for family involvement in their children’s education and the school as a whole, including steps the school will take to engage families representative of each major student subgroup and gather their input to inform ongoing decisions regarding the program, climate, and operations of the school.

(3) Comprehensive wrap-around supports for students, including, but not limited to,

(A) Mechanisms for meeting students’ social, emotional and health needs, which may include coordination of existing services as well as the development of new services based on student needs;

(B) Strategies to create safe school environments and improve school climate and discipline, such as implementing a system of positive behavioral supports, restorative justice, and taking additional steps to eliminate bullying and student harassment; and

(C) Partnerships with parents and parent organizations, faith- and community-based organizations, health clinics, State or local agencies, and others.

(4) A school-specific accountability system that shall—

(A) Include annual benchmarks for school improvement across ten (10) metrics, aligned to the school vision and informed by the school’s current context, for which the school will be held accountable over the next five years. These benchmarks shall include—

(i) the following common metrics that are available for every school in the state, disaggregated by race or ethnicity, free/reduced price lunch status, English learner status, and special education status:

a. for elementary and middle schools—

1. proficiency rates on statewide assessments in English/language arts, mathematics, science, and social studies aligned to the state’s academic content standards;

2. attendance rates;
3. suspension/expulsion rates;
4. reclassification rates for English learner students;

b. for high schools—
1. four-year adjusted cohort graduation rates, as defined pursuant to 34 C.F.R. 200.19(b)(1);
2. proficiency rates on statewide assessments in English/language arts, mathematics, science, and social studies aligned to the state’s academic content standards;
3. attendance rates;
4. suspension/expulsion rates;
5. reclassification rates for English learner students;

(ii) other metrics that may, but need not be, comparable across schools in the state or in the local educational agency, such as evidence of student learning as demonstrated through final portfolios or project-based learning; evidence of student and family engagement as demonstrated through a school climate survey; percentage of graduates who have completed the requirements necessary for admission to the state university system; percentage of students enrolled in Advanced Placement or International Baccalaureate classes and/or passing those exams; movement of students out of classes that are not college-preparatory; five-year graduation rates; percentage of recent graduates enrolled in college or other post-secondary training; and percentage of students who are bilingual and biliterate.

(B) Assess data longitudinally to determine individual student and school-wide improvement over time;

(C) Through an annual school opportunity report card, inform the community about the resources available to staff and students in helping them to meet the accountability benchmarks and successfully turn around the school. The school opportunity report card shall—

(i) Include, but not be limited to, school-level information and, where available, information comparing the school to the district and statewide average, in the following areas:

a. percentage of fully credentialed teachers;
b. average years of teacher experience;
c. teacher retention rate;
d. ratio of students per teacher;
e. ratio of students per counselor;
f. percentage of students in college preparatory classes in mathematics, science, and English language arts;
g. number of Advanced Placement or International Baccalaureate courses offered;
h. per pupil spending, based on actual salaries of personnel assigned to the school;
i. progress toward meeting the accountability benchmarks established pursuant to subsection (a)(4)(A) of section 104;

(ii) Be easy to read and understandable by students, parents, and other community members. If fifteen percent or more of the students enrolled in the funded school speak a single primary language other than English, the school opportunity report card shall, in addition to being written in English, be written in the primary language.

(iii) Be widely distributed throughout the school community, including on the school and local educational agency websites.

(D) Establish ongoing mechanisms that engage students, parents and community members in the monitoring and accountability process, and track and report data on such engagement.

(b) Each School Improvement Plan may include letters of support from relevant stakeholders, including those who will play key partnership roles under the plan, including, but not limited to, parent organizations, community-based organizations, state or local agencies, and collective bargaining units.

Section 105. Duties of the State Department of Education.

The State Department of Education shall:

(a) Provide technical assistance to local educational agencies and schools receiving funds under this Article and facilitate the exchange of best practices and lessons learned in democratic school turnaround efforts.

Technical assistance provided shall include, but not be limited to,

(1) Identification of models for effective community engagement;

(2) Assistance in establishing and maintaining effective personnel management, recruitment, hiring, and retention processes; and

(3) Maintenance of a publicly accessible state database of accountability benchmarks used by schools and/or local educational agencies, including information about the methods used by schools and local educational agencies to track these data.

(b) Establish the State Democratic School Turnaround Advisory Committee.
(1) The Advisory Committee shall include, but not be limited to, experts in educational reform, community engagement, assessment, and measurement, representatives from local educational agencies funded under this Article, and representatives from parent, student, teacher, and other stakeholder organizations.

(2) The Advisory Committee shall—

(A) By [DATE], develop and recommend to the State Board of Education for adoption, models and guidance for local educational agencies and schools on developing school-level annual accountability benchmarks and systems for tracking progress toward meeting these benchmarks; and

(B) Advise and make recommendations to the State Board of Education on policies and activities to assist the State Department of Education and local educational agencies in supporting funded schools.

Section 106. Evaluation.

(a) By [DATE], the State Superintendent of Public Instruction shall contract for a multiyear independent evaluation of the Democratic School Turnaround Program that is established pursuant to this Article. The evaluation shall be based upon information gathered through—

(1) Surveys and focus groups of parents, teachers, principals, students, and community members in funded schools and of local educational agency staff in funded local educational agencies;

(2) Classroom observations to determine the program’s effect on the quality of teaching and learning;

(3) Data on the provision of key school and community resources and opportunities to learn;

(4) Information on the inclusion of the school community in the turnaround process;

(5) Student outcome data as defined in subsection (a)(4)(A) of section 104 of this Article for each school site, disaggregated by race or ethnicity, free/reduced price lunch status, English learner status, and special education status;

(6) Case studies of individual schools; and

(7) Other relevant information as determined by the State Superintendent of Public Instruction or the independent evaluator.
(b) Evaluation reports shall include recommendations to improve democratic school turnaround efforts under this Article. The State Superintendent of Public Instruction shall ensure that these recommendations are disseminated to the State Democratic School Turnaround Advisory Committee and to each local educational agency Democratic School Turnaround Advisory Committee, which shall disseminate this information to School Improvement Teams.

(c) The independent evaluator shall report to the Governor, the State Superintendent of Public Instruction, the State Board of Education, and the chairs of the education policy committees in both houses of the Legislature annually by February 1, beginning February 1, [YEAR.]

Section 107. Regulations.

The State Board of Education is hereby directed to implement this Act through appropriate regulations.