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The work of the School Improvement Division in the California Department of Education (CDE) is to provide various forms of support and to intervene where necessary in both schools and districts in order to help improve student achievement. Our goal is for all schools to meet both their growth targets set by our state accountability system through the Academic Performance Index (API) and their targets set by the state as called for by the federal *No Child Left Behind Act* (NCLB). The overarching goal is the elimination of achievement gaps in our schools. This testimony provides a brief history of school accountability and intervention under the *Public Schools Accountability Act* (PSAA) and NCLB, and describes our various state and federal support programs. It then outlines our work with county offices of education in providing technical assistance to these schools and their districts and concludes with our most current efforts to support district level improvement.

Immediate Intervention/Underperforming Schools Program (II/USP)

The II/USP was established in 1999 as part of the *Public Schools Accountability Act* (PSAA). PSAA is a results-based accountability system with annual performance targets, school wide and for numerically significant subgroups, that provides assistance and sanctions for low-performing schools. Schools in decile ranks 1-5 were eligible for three consecutive years, commencing in 1999, to volunteer for II/USP through their district offices. For each of three years, 430 schools were randomly selected based on an equal distribution of 86 schools in each of decile ranks 1-5. A total of 1290 schools participated in the program.

Participating schools were given one year to develop an action plan to identify barriers to improving student achievement and to develop strategies to remove these barriers. They were expected to work with an "external evaluator" during the planning period, an individual or organization drawn from a list generated by CDE based on applications

and interviews. After approval by the State Board of Education (SBE), schools implemented their plans and received state support at the rate of \$200/student (with a \$200/student matching requirement) for either two or three years. Schools that met all their growth targets during this period exited the program, schools that continued to make “significant growth” (defined as at least one Academic Performance Index (API) point) remained “on watch,” and schools that failed to make significant growth became “state monitored” and subject to state intervention. As of this writing, 1195 II/USP schools have exited the program, 84 are state monitored, and 6 are still on watch. A few schools have closed.

High Priority Schools Grant Program (HPSGP)

In 2001, the Legislature again addressed the needs of low-performing schools in Assembly Bill 961, which establishes the High Priority Schools Grant Program (HPSGP). This program, taking the place of the II/USP, assists the lowest performing schools in the state in raising student achievement by offering additional resources targeted to student performance and extending the period of participation by one year. All schools in deciles 1-5 are eligible to participate; however, the HPSGP is designed to support the lowest performing schools first. Using the 2000 API Growth score to rank applying schools, 360 of the lowest performing schools were selected to receive optional one-year planning grants. Ultimately, in 2002, 658 schools were funded to participate in the first cohort of the program. Of these, 44% were jointly funded between HPSGP and either II/USP or a federal program, Comprehensive School Reform (CSR). Only about 366 schools were solely funded by HPSGP. Schools participating in the HPSGP receive \$400 per student, with a \$200 per student matching requirement, and are funded for either three or four years.

The HPSGP ties together several legislative incentive programs that have been made available to schools and districts. For example, schools receiving HPSGP funding must ensure that all of their teachers participate in the Mathematics and Reading Professional Development Program established under Assembly Bill (AB) 466 and continued as part of Senate Bill (SB) 472. In addition, principals in schools selected to receive HPSGP funds must participate in the Principal Training Program created by AB 75 and continued in AB 430. Finally, all participating HPSGP schools must agree to purchase and provide each pupil with SBE-adopted (for grades K-8) or standards-aligned (for grades 9-12) mathematics and reading/language arts instructional materials.

The goal of HPSGP is to ensure that these additional resources will assist all participating schools in implementing changes to speedily improve pupil performance. Schools have 24 months to meet growth targets. Failure to meet growth targets results in review by the SBE. After 24 months, the State Superintendent of Public Instruction (SSPI) has the discretion, with approval of the SBE, to direct the governing board to

take action in adopting strategies that meet benchmarks. Lack of significant progress after 36 months will result in state interventions or sanctions; the school becomes state-monitored.

The HPSGP differs from II/USP in a number of key areas. In addition to providing greater funding for a longer period of time, the role of the district is greater under HPSGP than under II/USP, and there is a requirement for districts to hold a public hearing explaining why a school is not participating in the program after it has been made eligible and invited to participate. Finally, the criteria defining “significant growth” for HPSGP schools and program exit are more rigorous than those for II/USP schools. To exit the HPSGP, schools must meet their school wide and subgroup growth targets for two years with positive growth the third year; to make significant growth schools must make 10 API points over three years with positive growth two out of three years.

To date, of the 366 HPSGP schools from the first cohort, 253 have exited the program, 55 have become state-monitored, and 52 remain on watch.

In 2007, the State Board of Education approved plans for 436 additional HPSGP schools, defined as “cohort 2.” All of these were invited to participate on the basis of their 2005 decile 1 ranking.

Comprehensive School Reform (CSR) Program

CSR is a federal program which is no longer being funded. It began for California when PSAA was passed. The first group of 80 schools were also part of the first cohort of 430 II/USP schools and since then we have utilized the federal program to expand our support for the state’s low performing schools. Schools applied to the state for CSR grants and agreed to adopt research-based whole-school reform strategies in exchange for funding. The funding level was either \$200/student if the school was part of II/USP or \$400/student if the school was HPSGP. Schools received three years of funding. Accountability was tied to the particular state program---II/USP or HPSGP---and school performance is tracked as part of those two programs.

No Child Left Behind Act (NCLB)

As part of its implementation of NCLB, California uses Adequate Yearly Progress (AYP) to monitor student achievement for schools and districts. Under NCLB, a Title 1 school becomes identified for “Program Improvement” (PI) if it fails to make AYP for two consecutive years. There are a range of intervention options and requirements for such schools, beginning with the requirement for parental notification, and these escalate each year a school continues to fail to meet AYP. During this time the district is responsible for providing technical assistance and for taking effective corrective actions. Once a school reaches Year 4 of PI it must plan for restructuring, and then implement

its plan the following year, assuming it continues to fail to meet AYP. California currently has 2,210 schools in PI.

Districts can also be identified for PI by failing to make district-wide AYP for two consecutive years. A district in PI also must notify its parents of the district's status, and then work with an external entity to revise its Local Educational Agency Plan (LEAP) and submit its revision to the CDE. California law requires districts to at least consult with their local county office before agreeing to work with another external entity. However, most districts actually work with their county office to revise their plans and many seek the support of the county offices in implementing their plans.

Districts that continue to fail to meet AYP are subject to sanctions imposed by the state, as defined in NCLB. To date, 192 districts are in PI and 99 are in year 3 and subject to state sanctions. Both schools and districts can exit PI when they meet AYP for two consecutive years.

State-Monitored Schools Under PSAA

Schools participating in II/USP or HPSGP that fail to make significant growth become state-monitored. According to state statute (*Education Code* (EC) sections 52055.5 and 52055.650(h)), the state has two choices: 1) assuming all legal responsibilities for the school, reassigning the principal subject to a hearing process and findings, and selecting one or more of eight sanctions (e.g. assigning the management of a school to a school management organization, placing a Trustee at the school, or reorganizing or closing the schools, etc); or 2) requiring the district to contract for the services of a School Assistance and Intervention Team (SAIT), a team of experts that works with the school in specified areas to improve instruction and achievement in English/language arts and mathematics.

To date, the state has assigned a SAIT for all state-monitored schools. The rationale for this action, first taken in 2002-03, was for several reasons. First, analysis of the schools' achievement data did not suggest findings that justified more serious actions. Second, most of the schools, by participating in II/USP or HPSGP, appeared to be taking appropriate initial steps to implement SBE-adopted or standards aligned materials. Third and most important, the assignment of a SAIT was determined to be the most capacity-building strategy available. That is, more serious sanctions would tend to punish the schools, without leaving the schools and their districts the information and capacity to implement and sustain improvements.

In working with a school, a SAIT uses a grade-span specific Academic Program Survey which focuses on implementation of nine "Essential Program Components for Instructional Success." These components start with the notion of putting in place in the school either SBE-adopted (grades K-8) or standards-aligned (grades 9-12)

instructional materials, and then continuing with other key strategies: insuring sufficient time in the school schedule for the teaching of these materials as well as a pacing plan to insure sufficient coverage of the materials throughout the year, training the teachers and administrators on the effective use of these materials, making sure there is a system in place for periodic assessing, reporting and monitoring student progress, providing coaching for teachers as well as time for teachers to collaborate on lesson delivery, and aligning general and categorical funds to support goals in the school plan.

A SAIT works with a District/School Liaison Team (DSLTL) to do an initial assessment of the school's progress in the areas above and then makes recommendations for corrective actions which by law the local governing board must then adopt. Importantly, the SAIT supports the implementation of these actions over the two or three years it works with the school, and reports quarterly to CDE on the school's progress. State-monitored schools receive one-time only funds to contract with the SAIT and per student funding for up to three years to support implementation of the corrective actions.

Currently, there are 139 state-monitored schools. Since 2002-03 a total of 331 schools have become state-monitored. Of these 192 have successfully exited the state monitoring process. Eight schools, as described below, were not able to exit state-monitoring after 36 months and have been subject to a state review and further sanctions.

Secondary Sanctions for State-Monitored Schools

For any state-monitored school that does not exit state monitoring after 36 months, state law requires the State Superintendent of Public Instruction (SSPI) to remove the SAIT working with the school and do at least one of the following:

1. Require the school district to ensure that 100 percent of the teachers at the school are highly qualified as defined by the state for NCLB;
2. Using existing funds, require the school to contract with an outside entity to provide supplemental instruction to high priority pupils **and** assign either a management team, Trustee, or a new SAIT that has demonstrated progress with other state-monitored schools;
3. Allow parents of pupils at the school to apply to the SBE to establish a charter school at the existing school site;
4. Close the school

In 2005-06 six schools were subject to these secondary sanctions and in 2006-07, two additional schools were added to the group. In order to fully understand the local context of these schools and their unique needs, CDE staff reviewed extensive amounts of data on the schools, and assembled and led teams of six to eight individuals, including state staff and county office staff, in a comprehensive review of each school and its district context. The school and district reviews were very thorough. They

included interviews with school and district leadership teams, school faculty, staff and parents, as well as with the former SAIT that worked with the school. The review team also conducted classroom observations and analyzed a number of data sources and reports on school performance and school improvement efforts at each school. The information resulting from the interviews, observations and document reviews informed the team's recommendation for the choice of the secondary sanctions.

For the initial group of six schools, three were assigned a new SAIT carefully selected to address the challenges at the school and three were assigned a Trustee. New SAITs were also assigned to the two schools under review in 2006-07. In each case, a local county office of education was selected to either recruit a Trustee or assemble a new SAIT. Essentially, the SAIT or Trustee had the responsibility of implementing the recommendations made by the review team. Furthermore, a Memorandum of Understanding (MOU) among the district, county office and SSPI was created to ensure the implementation of the sanctions. The MOU contained the duration of the sanction, the responsibilities of each party, the powers and duties of the Trustee or new SAIT, and the scope of work or nature of corrective actions necessary for the Trustee or SAIT to implement at the school.

It is important to note that each of these schools under secondary sanctions had unique challenges. The nature of corrective actions was highly individualized to each school and its district context. For example, one school assigned a Trustee had an inexperienced administrative staff and too many uncoordinated intervention programs. This school also was reluctant to embrace and implement instructional changes recommended by the first SAIT. In addition to helping align the intervention programs, an important activity of the Trustee was to model administrative actions for the new principal and provide follow-up coaching and support to allow the principal to become an instructional leader.

In another school, an immediate task of the Trustee was to garner the support and attention of the district office. As a result, the district staff learned to work alongside the school staff to conduct more in-depth analysis of student attainment of content standards. The outcome was that many students were rescheduled into more rigorous classes.

The decision to place either a new SAIT or Trustee in the school was determined by the local context and the barriers identified to increasing student achievement at the school. For example, in cases where there were clear and appropriate recommendations from the first SAIT and the district leadership ignored or was unable to satisfactorily implement these recommendations, or where there was a significant lack of coordination of district support and resources (or insufficient resources in the first place), a Trustee was considered the appropriate intervention. By statute, a Trustee placed at a school under the authority in PSAA has the power to stay and rescind local

governing board actions with respect to that school. To date, this power has not been needed.

It's very important to note that the work of reviewing schools for secondary sanctions requires a unique combination of individuals with a specialized set of skills to perform the review and develop the set of corrective actions that, after several years of a school's improvement efforts, will have greater likelihood of producing positive results. The creation of the MOUs takes significant time as well. Furthermore, and this cannot be emphasized enough, it requires a substantial amount of time to conduct an extensive search for potential candidates to assume the responsibility of a Trustee. This had never been done before in California. The challenge was to find three intelligent and experienced educators who were willing to work in (and relocate to) the three schools, and who had the unique skills needed to build the trust and relationships necessary at the school and in the district while at the same time being firm and consistent in overseeing necessary corrective actions.

Because these school level reviews and assignment of sanctions are so resource intensive, doing this work on a larger scale is problematic. While CDE works very closely with county offices to do this work, the process of assembling and overseeing teams such as these and creating MOUs can only be done for a very few schools each year. As described below, the more important work in California is to focus our collective energies at the district level. To do so will more effectively leverage limited state resources and target improvement efforts at the district level, thus facilitating how districts work with all of their schools.

To date, all eight schools made positive growth (some substantial) in the most recent API growth report. The three schools scheduled to exit secondary sanctions were successful in doing so.

District Level Improvement Work in California

In recent years, the role districts play in instructional improvement efforts at the school level has received increased recognition from both policymakers and researchers. By their policies, resources, organizational structure and actions (or lack of actions), districts have an influential role in either facilitating or impeding school improvement. How districts perform such functions as interpreting and using data, building teachers' knowledge and skills, aligning curriculum and instruction, deploying their most experienced teachers, and targeting interventions to their most needy schools and students all affect the performance of schools.

In California, knowing that the numbers of schools identified for PI under NCLB will only climb from the current level of over 2000 schools, and knowing also that the state has a defined role in providing technical assistance to districts under NCLB PI, the state has

engaged in a number of activities to build capacity statewide for school and district improvement.

First and foremost, the state has worked for a number of years in partnership with the county offices of education to develop various protocols and improvement processes, and to build knowledge among the counties and consistency of effort across counties to do this important work. The counties are in fact the arm of the CDE when it comes to local school and district improvement. Not only do most counties serve as organizations which field SAITs, but they serve as the key part of California's Statewide System of School Support (S4) required by NCLB to work with schools and districts in PI. Increasingly, S4 is working at the district level instead of at each PI school. Improving 2000 schools, school by school, is not an option.

Second, California provides federal funding to districts that have been identified for PI. This funding is used by districts to work with an external entity (in many cases the local county office of education) to revise and begin to implement their LEAP. For districts at risk of entering PI, the CDE notifies these districts and apprises them of the tools and agencies (such as county offices) available to assist their improvement efforts.

Third, knowing the numbers will only increase over time and that California would be faced with the challenge of helping and ultimately intervening in many PI districts, the state created and codified the concept of a District Assistance and Intervention Team (DAIT) ----a group of individuals collectively expert in a number of areas of district operations who work closely with district staff to provide help on instructional issues and organizational improvement. Initially, the SBE in March of 2006 adopted standards and criteria for the composition and work of a DAIT in the following areas:

- a. Governance
- b. Alignment of curriculum, instruction, and assessments to state standards
- c. Parent and community involvement
- d. Fiscal operations
- e. Human resources
- f. Data systems and achievement monitoring
- g. Professional development

In California, the assignment of a DAIT is authorized by the education code but it must be done **in addition to** NCLB sanctions. That is, once a district progresses in NCLB accountability, the state has to assign at least one of seven federal sanctions to districts, which range from more fully utilizing SBE-adopted materials and training to deferring or withholding funds, to replacing staff responsible for failure, to abolishing the district. California education code permits the assignment of a DAIT team to make recommendations to improve a district and to support the district in its work. However, the assignment of a DAIT cannot be a substitute for the federal sanctions.

Fourth, the CDE has developed through a procurement process a list of approved organizations to provide DAITs. All approved organizations demonstrated with data the ability to work effectively to improve districts. The list includes 39 organizations (of which 23 are county offices) and 109 individuals in these organizations approved to lead a DAIT.

State Capacity Building Through State/County Partnerships

Finally, knowing the need to scale up this work over time, CDE partnered with California County Superintendents Educational Services Association (CCSESA) and received a three-year District Intervention and Capacity Building Grant to pilot the DAIT work and extend that work across all county regions in California to build expertise to support more district improvement work on the part of county offices of education. DAITs from 15 county offices are deployed as part of this pilot in 13 districts (two are being added in fall 2007) across the state. Working within the seven areas of the above standards, DAITs work intensively with district superintendents and their staffs to assess district support of schools' instructional improvement efforts and to identify and then implement high leverage actions that are likely to result in significant, immediate and sustained academic achievement.

While state resources were not made available in the current year budget to fund this work, CDE and CCSESA will continue to work together on the foundation-funded pilot to learn from it so DAIT can be implemented in the future on a wider scale. CDE believes that the DAIT work has the best opportunity through the use of expert, outside eyes to build a district's capacity to improve and sustain the improvement and that this work is best done at the district, rather than the school, level.

Alignment of Federal and State Accountability Systems

Clearly there is confusion in California schools and districts over the implementation of two accountability systems---one of which measures school growth and the other of which measures school performance against a status target which increases over time. While California continues to advocate for the use of its growth model in NCLB's accountability system, the state has already aligned its intervention efforts across the two systems. That is, schools in PI use the same instruments that are used as part of the SAIT process. County offices receiving federal funds as part of S4 also use the same approach for working with PI schools as do SAIT providers working with state-monitored schools. CDE will continue to work with the Legislature, Office of the Secretary for Education and other stakeholder groups to advocate for a single accountability system which holds all schools and districts accountable under a single measure, identifies those entities struggling the most to improve, and supports and intervenes where necessary in those places needing the most help. In the meantime,

we continue to learn from our improvement work and look to current research and the work of other states in furthering our efforts

Our ultimate goal is to build capacity for long term, sustained success at the local level, and to do so with county, regional and state support.