

ACCOUNTABILITY REFORMS: TURNAROUNDS AND SUBGROUPS

Accountability has been the watchword of school reform for three decades. The fact that more than four-fifths of our schools are now branded officially as failures shows that we haven't yet gotten it right.¹ We need a system of accountability and reform that produces and rewards progress, measures more outcomes of schooling, reverses the narrowing of curriculum, and helps attract and hold strong teachers in the schools that most need them. We need standards and tests that are strong and informative and used to improve instruction and interventions that are tightly focused, based on serious research, and within the capacity of state and local officials to implement. Accountability must include graduation rates as a major factor because the U.S. has for decades fallen behind all of its peer nations in increasing the rate of completion of high school, particularly for minority students, with severe social and economic consequences.

From a civil rights perspective the part of the NCLB that has been most unambiguously positive is the requirement of subgroup data. You cannot cure what you don't know and you cannot know without data. The law should maintain existing data and require graduation data by subgroup. Maintaining the requirement for subgroup data is one clear point of consensus among many civil rights organizations and experts in school research. Because the new federal categories for reporting data are different from the old ones, comparability is severely threatened and those categories should be changed to be more consistent with categories used for four decades in education statistics and those now used by the Census.

The move toward common core standards and tests is good idea since test data has been impossible to compare and understand across state lines. The emerging standards and tests can be better integrated with the development of related instructional materials. Federal assistance for these efforts is appropriate. It is very important, in this process, to create valid instruments for fairly assessing the educational progress of EL students as a basic element. **Tests should be administered in ways that provide rapid data to improve teaching, not primarily to retroactively label and sanction schools.**

New standards need to have a basis in actual experience of school reform. Requiring districts and schools to do things that have never been achieved on scale or attaching high stakes to measurement strategies that are not yet adequately developed would be repeating the mistakes of the past.² Standards should not demand the most from the most troubled schools in the most impoverished and unequal schools, or unfairly punish the teachers and administrators working in them if they are making reasonable progress. The continuous growth of segregation by race and poverty during the last 20 years has made the schools more unequal since segregation is directly related to unequal teacher qualifications, course offerings, and graduation levels. Branding these schools and their staffs inappropriately has made it less likely that good experienced teachers and administrators would want to work at those schools, or stay there, undermining the NCLB's important goal of "highly qualified" teachers in all classrooms.³

The decision of the proposed Obama Administration’s Blueprint to focus attention on “turning around” the most troubled five percent of schools is positive in two respects but requires great care in implementation. First, it recognizes that there are small groups of schools which have very deep problems, schools such as the “dropout factories” where very large fractions of students never graduate. These are schools that need massive help and sometimes need drastic interventions. The turnaround model would often involve carrying out a sweeping educational reform by closing schools and creating what are, in effect, new schools in the buildings occupied by failing schools, dissolved or deeply altered under the reform. These are good goals so long as they are carried out in ways that produce a committed staff and a coherent reform pursued over years of transformation.

Neither state departments of education nor local school districts have the knowledge and capacity to effectively intervene in vast numbers of failing schools. Decades of experience with state interventions and takeovers with small numbers of schools and districts has shown no transformative results in much less challenging circumstances.⁴ Knowledge about large scale models for successful interventions is limited and reform requires strong leadership and consistency over time. The worst result would be the creation of another round of paper school improvement plans of little consequence or poorly planned turnarounds that disrupted a weak school only to create what became another one in the same building.⁵ For example, although there are some outstanding charter schools, it is wrong to see implementing charters as an automatic solution. The best evidence shows that charter schools have no better average achievement than public schools serving the same students and they are more segregated, on average, and less accessible to English language learners and special education students.⁶

Schools that fail on multiple dimensions when fairly assessed, and cannot attract and retain leaders and faculty able to devise and carry out an internal reform, may require such drastic measures. “Reconstitution” of schools with profound problems began on a substantial scale nearly 30 years ago in San Francisco, as part of the effort to improve education under the desegregation consent decree negotiated between the NAACP, the San Francisco school system, and the state of California. Six schools were emptied out. Three were reconstituted and three new schools were created. New principals were named, new staffs were recruited nationally outside of normal teachers’ contracts, and the district provided substantial additional funding and administrative support. There were systematic plans to make the schools attractive enough to integrate them with students choosing to come from other parts of the city. When evaluated nine years later, longitudinal data showed that the minority students in the reconstituted schools had made significantly more gains than those in other schools, initially less troubled, which were given money to implement their locally designed plans. The gains, however, took about four years to clearly show up and some of the schools experienced declines in the early years after radical reorganization.⁷ On the strength of this data and negotiations among the parties, reconstitution was revived and expanded to a number of other schools, with more mixed results in the 1990s.⁸ It required a major investment by district leaders and the selection of excellent principals.

There were obvious costs to the process. It produced serious conflict with teachers’ organizations and required backing from the court. When schools were designated for reconstitution, there was serious opposition by the faculty and the community, and learning suffered for the remainder of the year before the faculty was replaced. The initial long period of

restitutions permitted a national search for new staffs but produced months in which students were taught by angry dismissed teachers. When the decisions were later made near the end of the academic year, there was not enough time to recruit and organize strong new staffs because most strong teachers and principals were already committed for the next year by that time. Since the decisions were made on the record of the entire school, individual teachers could fairly claim that they were being judged on the basis of other people's work. As reconstitution continues, a growing number of a district's teachers are affected and negative attitudes can deepen. When reconstitution is pursued without ample funding, strong administrative support for several years, and selection of very strong leadership,⁹ then it can fail. A study by the Center for American Progress and the Broad Foundation recently concluded that turnarounds "need intensive problem-solving support as well as help from other central functions, such as human resources and special education, to make the radical changes needed in school structure, staffing, and instruction. This should include particular attention to helping school leaders attract the right mix of teaching skills and experience to the school..."¹⁰ These are tough requirements and must be continued for years if a reform is to take root and be sustained.

The message from the reconstitution experience is that it should be pursued only if there is no other workable alternative that is less disruptive and/or less costly. And, if it is to be pursued, it must be well supported with a recognition that it will take years of effort.¹¹

Restitutions done quickly without the necessary conditions are likely to be unfair and are much less likely to be successful. The Chicago experience deserves special attention. In 1997, Chicago engaged in a series of rapid reconstitutions, or turnarounds, firing many teachers in the process, without the necessary planning, recruitment and support to give it a reasonable chance of success and the policy was soon halted. The result was a great deal of controversy, charges of discrimination for the firing of a substantial number of minority teachers, and, in some cases, the need for another major change in the same school within a few years.¹²

The focus on intense intervention with a small group of schools is appropriate but it is important to avoid solutions that are excessively prescriptive. Transformative reform with the existing staffs should give priority to programs and policies documented as having beneficial impacts by the federal What Works Clearing House or other professional research syntheses. Untested interventions should be seriously evaluated by highly qualified researchers independent of the school district and the resulting studies published on-line to benefit other schools.

The school closing alternative should be used only where the problems seem irreversible and there are clearly better schools available for the students since closing is disruptive and produces deep divisions within schools and communities and research has shown that mobility among schools is a serious risk factor for dropping out and lower academic achievement.¹³

All schools of choice should be treated equally and subjected to the same qualification and evaluation standards, if implemented as solutions in the 5% schools--including charter, magnet and pilot schools and district-wide choice and transfer programs. There is no research basis to justify preference for charter schools over other models. If choice is part of the answer then competition among choice providers should be an integral part of the strategy. Since there is abundant evidence that choice without civil rights provisions for strong parent information and recruitment, diversity goals, transportation, provision for children needing special education and EL children is highly likely to increase stratification and inequality among

schools, civil rights policies should be an integral part of all choice remedies for targeted schools.

Interventions requiring major restructuring of schools should be evaluated over a multi-year framework since the disruption caused by deep institutional change is likely to have a negative impact in the short term even if the surgery is ultimately a solid success. Since deep intervention requires special treatment from school districts and can be undermined if special provisions, such as staffing arrangements, are not continued, there should be a long-term plan to sustain the changed schools. Since the success or failure of the efforts will ultimately be in the hands of the teachers and successful school level reforms require support from teachers, teachers should be actively included, though not in control, of planning what to do and how to carry out the turnarounds when drastic external intervention is determined to be essential.

A New Strategy for Using Subgroup Data to Stimulate Local Reforms

The bipartisan commitment to subgroup accountability in NCLB -- built on the premise that our public schools must no longer accept the status quo of persistently low performing minority groups, English learners, and students with disabilities -- represents a tremendous conceptual breakthrough in educational policy. Unfortunately, the federal mechanisms built around this important concept were poorly conceived and not grounded in research. While serious corrections must be made to our federal system of accountability, we must be sure to retain data to foster efforts to remedy the very low performance of historically disadvantaged students in many schools.

As we move forward to redesign a public school accountability system that includes subgroup accountability, we must take into consideration that the number of schools needing interventions vastly exceed the capacity of state and local officials to implement serious reforms and simply branding them as failures solves nothing. Reform has become considerably more difficult and contentious with the very severe fiscal crisis, which means that many thousands of teachers will lose their jobs in the coming year and many reform efforts will be abandoned or gravely weakened. Primary responsibility should rest at the school level and the goal would be to help rather than sanction schools.

The goal is to preserve essential data and the requirement that school leaders pay attention to the inequalities with plans that include performance benchmarks and possible interventions designed to raise the educational performance of those groups that are far behind. At the same time we must avoid the flaws of NCLB system by encouraging the adoption of attainable goals and setting forth reasonable and constructive consequences for schools that are struggling. The new system should identify problems early, stimulate plans that are adapted to the various groups and local conditions, actively involve teachers and principals, provide support for schools, and monitor and release the results.

Local educators should take the lead and these efforts should be evaluated in terms of feasible improvements. There are many problems in schools that are not in the bottom 5% that educators and community groups need to address. Even very successful schools can show grim statistics for some subgroups of students. It is one of the clear lessons of subgroup data in schools where these problems were often ignored because of the overall success. The policy problem is how to produce progress in those schools without arbitrary requirements. The task

should be primarily the responsibility of local schools and districts. The goals should be derived from actual record of subgroup academic growth for schools in the top quartile of the state or of the district, the latter in the case of a large urban district, not requirements from Washington.

There should be a committee chaired by the superintendent and representing community, civil rights, teachers, and parents' organizations as well as experts from the school district and local colleges to set out goals for raising the achievement of groups in the bottom quartile of state achievement. The committee should make recommendations about the allocation of funds and receive and evaluate progress in implementing the school plans. Consistent failure to meet progress goals set out in these plans should trigger district intervention, but the basic goal would be to effectively support positive school change.

Since reforms that are not understood and accepted by local educators seldom work, teacher involvement is vitally important. Further, the new system should be focused on supporting reforms, reserving any sanctions as measures of last resort. The policy would ensure that schools and districts that are diagnosed as underperforming in some important aspect are given assistance and only held accountable for meeting realistic benchmarks toward attainable goals. Where some school contexts may require further interventions, they should be driven by the particular local, school or district level diagnosis and the responsibility for their implementation should be appropriately shared by the school, district, and state.

The following recommendations for subgroup accountability are for schools that are not selected for turnarounds. The intensive forms of school accountability that are reserved for the bottom 5% of schools in a state should remain wholly distinct from the consequences for local subgroup accountability.

- I. Title I should require subgroup data from all schools and accountability should be focused on ensuring that when subgroups have very disproportionate numbers of low-performing students, steps are taken to bring up their achievement, attendance and completion levels of the lowest performing groups and to ensure that extra attention and resources are provided.** The funds used for SES could also be used for this purpose since there is little evidence that SES expenditures are productive. All schools that have one or more subgroup that is seriously low performing should be required to have an approved plan for raising the performance of that group.
- II. Reasonable and flexible responses to diagnosis for subgroups:** Data and plans may reveal systemic inequities. For example, unequal access to “in-field” teachers, insufficient educational resources for English learners, or insufficient support for the inclusion of students with disabilities, are all systemic issues that the district can assist in remedying at the school level. In all cases, the consequences would be constructive and responsive to a diagnosis of the factors contributing to the low performance, and not punitive. Attention would focus on subgroups performing in the bottom quartile in comparison to statewide averages for all students. Schools where almost all subgroups fall into this low level of performance should be considered as “impacted schools” and should focus on school-wide reforms.
- III. Most Title I recipient schools and districts with low performing subgroups would be required to have an improvement plan: As a condition of Title I eligibility, states**

would ensure that all districts that had *individual schools* with any subgroup performing in the bottom quartile of the state (in reading and math, and in other subjects states may test, based on statewide performance for ALL students and graduation levels in high schools), would be required to develop a plan to target Title I resources to raise the performance of these low performing subgroups in the school over time. Each improvement plan would describe expected interim improvements in academic achievement, aligned with goals created by the state, based more on standards actually met by more successful schools in the state with similar groups of students not on arbitrary numbers.

IV. Flexible benchmarks for improving subgroup performance: growth benchmarks would be part of the school improvement plan initially developed by the school and left to each district to approve. The district's overall plan would be subject to review of state and federal officials but would be a local plan. The required school improvement plan would be highly contextual and reported to the local school's public to help ensure parental awareness and monitoring. The school and district's obligation to implement the plan would last until the lowest performing subgroups had moved out of the lowest quartile for two successive years.

- a. **Focus on growth:** Schools with achievement gaps would have to bring up the level of performance of the students originally identified at the bottom of the distribution. The consequence would be greater attention and educational resources so they may achieve at significantly higher levels.
- b. **Recognition for closing achievement gaps:** Gap closure achieved as the result of an increase in performance of the lowest performing subgroups should be recognized and rewarded.
- c. **Plans and oversight required for coordinated and flexible interventions:** Each school plan would be implemented for a minimum of three consecutive years. Districts and schools that failed to provide a plan could be subject to administrative withholding.

V. Community agency involvement in plan development and implementation: "Subgroup" plans would be encouraged to include a description of how the school district would facilitate coordination and support from community agencies such as health care, social work, adult literacy, foster care, housing assistance, and parent training and information and other important community service providers.

VI. Public Reporting: The improvement plan and a detailed progress report on the relevant benchmarks would be included in the school level report cards. However, there would be no federal or state labeling of schools on the basis of this data. The data on the progress made by schools with low performing subgroups would be required to be reported by the district publicly at least annually. The goal is to focus attention on needed improvements, develop and publish plans, and provide data on progress achieved and goals remaining.

VII. Research Based Technical Assistance Required: Required Technical assistance, similar to that required under the current Title I provisions found at 1116 (b)(4) (although

no longer connected to “school identified for school improvement”) would be maintained. The technical assistance provided would have to be based on sound research and include parental involvement, identifying and implementing professional development, and improving instructional strategies where needed.

VIII. Source of Funds: Funds for technical assistance for subgroup school accountability would come from the core Title I budget and the SES set-asides, not from separate school improvement grants earmarked for turn-around schools.

IX. Subgroup accountability consequences: Consequences would be triggered where the persistent low performance of a subgroup, once identified, worsened or was not improved in any significant way over a multi-year period. Consequences would require that increasing percentages of a school’s Title I funds be used to address the needs of *all the persistently low-performing* subgroups.

X. Rewards to Schools for Subgroup Improvement and Gap Closing: Schools showing the greatest progress in improving the performance of a low performing subgroup would be publicly recognized by each district and state each year. Schools and districts that were among the most successful at having subgroups meet the performance goals would also be eligible for bonus points for competitive grant applications related to maintaining or expanding these efforts. Districts would be asked to document the most successful models and disseminate them to other schools and districts. Competitive federal grants to states would award more points to states demonstrating that a high percentage of their schools were succeeding in closing the achievement gap. The most successful schools in a state would be eligible for an award to pay for independent research on their success to help others replicate their most effective changes.

XI. Transfer Rights: Members of subgroups in schools persistently failing to make progress would receive special priority in eligibility for transfer to schools where members of their subgroup performed above the statewide average for the subgroup. These transfers could be either intra- or inter-district in nature and transportation would be provided as needed.

¹ Jackyung Lee, “Two Takes on the Impact of NCLB on Academic Improvement,” in Gail Sunderman, ed., *Holding NCLB Accountable: Achieving Accountability, Equity, and School Reform*, Thousand Oaks, CA: Corwin Press, 2008, chapter 5; Jackyung Lee, *Tracking Achievement Gaps and Assessing the Impact of NCLB on the Gaps, An In-depth Look into National and State Reading and Math Outcomes Trends*, Civil Rights Project, 2006; B. Fuller, K. Gesicki, E. Kang, and J. Wright, *Is the No Child Left Behind Act Working? The Reliability of How States Track Achievement*, Berkeley: Policy Analysis for California Education, 2006; the problems now apparent in AYP were predicated before enactment by researchers.

² Heinrich Mintrop and Gail L. Sunderman, “Predictable Failure of Federal Sanctions-Driven Accountability for School Improvement and Why We May Maintain It Anyway,” *Educational Researcher*, Vol. 38, NO. 5 (2009), pp. 353-364; See analyses by Daniel Koretz, Robert Linn, and Mindy Kornhaber, G. Sunderman, *Holding NCLB Accountable: Achieving Accountability, Equity and School Reform*, Corwin, 2008, chapters 1-3.

³ “Listening to Teachers: Classroom Realities and NCLB,” in Sunderman, Kim and Orfield, chapter 5.

⁴ H. Mintrop, *Schools on Probation: How Accountability Works (And Doesn't Work)*, Teachers College Press, 2004.

⁵ G. Sunderman and G. Orfield, “Domesticating a Revolution: No Child Left Behind Reforms and State Administrative Response,” *Harvard Education Review*, Winter 2006.

⁶ CREDO, *Multiple Choice: Charter School Performance in Sixteen States*, Stanford University Hoover Inst, 2009; Myron Orfield, *Failed Promises Assessing Charter Schools in the Twin Cities*, University of Minnesota Inst. on Race and Poverty, Nov. 2008.

⁷ Consent Decree Advisory Committee, Federal District Court, San Francisco, "Desegregation and Educational Change in San Francisco: Findings and Recommendations on Consent Decree Implementation," July 1992; Consent Decree Advisory Committee, Federal District Court, "Progress Made, Challenges Remaining in San Francisco School Desegregation" San Francisco NAACP v. San Francisco Unified School District, January 1999; Kent McGuire head of the San Francisco teachers union which opposed the approach conceded that the initial reconstitutions involved a "concentration of energy and effort and intelligence" which "did bring about some measurable improvement." (*Chicago Catalyst*, Sept. 2008)

⁸ A report by the California State Monitor found that 22 years after the initial reconstitutions, three of the six affected schools were still performing very strongly. Annual Report No. 22 of Consent Decree Monitor, San Francisco, *NAAC v. San Francisco Unified School District*, August 2005, pp. 5-7.

⁹ Maureen Kelliher, "Great Principals Needed to Rescue Intervention," *Chicago Catalyst*, Aug. 1, 2000

¹⁰ Karen Baroody, *Turning Around the Nation's Lowest-Performing Schools: Five Steps Districts Can Take to Improve Their Chances of Success*, Washington: Center for American Progress and Broad Foundation, January 2011.

¹¹ J. Rice and B. Malen, "School Reconstitution as an Education Reform Strategy: A Synopsis of Evidence," National Education Association, 2010.

¹² S. Spote and M. de la Torre, *Chicago High School Redesign Initiative*, Consortium on Chicago School Research, University of Chicago; One of the Chicago high schools reconstituted in 1997, Orr High School, was then judged to be still failing and broken up into several small high schools a few years later.

¹³ R. Audette, R. Algozzine and M. Warden, "Mobility and School Achievement," *Psychological Reports* 72: 701-702 (1993); G. Benson, J. Haycraft, J. Steyaert and D. Weigel, "Mobility in Sixth Graders as Related to Academic Achievement, Adjustment, and Socioeconomic Status," *Psychology in the Schools*, vol. 16 (1979), pp. 444-447.; S. Pribesh and D. Downey, "Why Are Residential and School Moves Associated with Poor School Performance?" *Demography*, vol. 36 (1999), pp 521-534; Ream, R. & Rumberger, R. (2008). Student engagement, peer social capital, and school dropout among Mexican American and non-Latino White students. *Sociology of Education*. April, 2008, Vol. 81, No. 2, pp. 109-139.