

Illinois State Board of Education (ISBE)
Guidance to Districts with Schools in Corrective Action (CA)

If, after two years of undergoing school improvement according to the No Child Left Behind act (*NCLB*) (that is, after not having made AYP for four years), implementing a school improvement plan, and receiving extensive technical assistance, a school still does not make adequate yearly progress (AYP), ISBE and the school's governing district must identify it for Corrective Action (CA). Identifying a school for CA signals the district's intention to take greater control of the school's 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 radical action is needed to improve learning conditions for all students. Taking CA is designed to increase substantially the likelihood that all students enrolled in the school will meet or exceed the State's proficient levels of academic achievement in reading and mathematics.

A school identified for CA must continue to offer Choice and Supplemental Educational Services during the period it is identified for CA if Title I funds are used at the school.

1. What is CA?

CA is a significant intervention in a school that is designed to remedy the school's persistent inability to make adequate progress toward all students becoming proficient in reading and mathematics. Six general options are available for CA .- (See Question 4).

2. What causes a school to be identified for CA?

If a school that receives Title I Part A funds does not achieve AYP for four years, the district must identify the school for CA.

For example, if a school 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 district must identify it for school improvement and School Choice must be offered at the beginning of the 2004-05 school year. At the end of that school year, if the school does not make adequate progress, it must be identified for a second year of school improvement and Supplemental Educational Services must be implemented during the 2005-06 school year. If by the end of the 2005-06 year the school still does not meet its annual target, the district must identify that school for CA, 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	Year 1, school improvement (Choice)
By end of 2004-05	N
Beginning of 2005-06	Year 2, school improvement (Choice and SES)
By end of 2005-06	N
Beginning of 2006-07	Choice, SES, and Corrective Action

3. What notification requirements apply when a school is identified for CA?

If a school is identified for CA, the district must promptly notify the parents of each child enrolled in the school (in an understandable format and in a language that the parents can understand). The notification must explain: -

- What the identification means, and how academic achievement levels at this school compare to those at other schools in the district and in the state.
- Why the school 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 school in the district that has not been identified for improvement. The district must provide parents with information that helps them make an informed decision about whether or not to exercise this option. At a minimum, the district must tell parents about the academic achievement level of students at the school or schools to which their child may transfer, but the district may choose to include additional information as well. (See Question 4.)
- 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.

4. What are the responsibilities of the district when ISBE and the district identify a school for CA?

If ISBE and the district identify a school for CA, the district must: -

- Continue to ensure that all students have the option to transfer to a district school not in school improvement status;
- Continue to ensure that supplemental educational services are available to eligible students in the school; and
- Continue to provide or provide for technical assistance to the school.

In addition, the district must take at least one of the following CAs:

- Institute a new curriculum grounded in scientifically -based research and provide, for all staff relevant to the school’s corrective action status, appropriate, scientifically research-based professional development based on scientifically-based research that is likely to improve the academic achievement of low-performing students;
- Extend the length of the school year or school day;
- Replace the school staff who are deemed relevant to the school not making adequate progress;
- Significantly decrease management authority at the school;
- Restructure the internal organization of the school; or
- Appoint one or more outside experts to advise the school with regard to (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 school’s continued inability to make AYP. §1116(b)(7)(C); §200.42

5. What technical assistance is available to a school in CA?

The district must continue to provide technical assistance to a school in CA, either directly, through the statewide system of support, or through the use of other entities such as institutions of higher education, educational service agencies, or private organizations.

Because being in CA is a sign of serious problems with the instructional program of a school, providing technical assistance for a school in CA 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 in working with teachers to create positive change.

6. How does a school exit from CA status?

A district may remove a school from CA if the school makes AYP, as defined by the state accountability system, for two consecutive years after it is identified.

School Year	School makes AYP (Y/N)
Beginning of 2006-07	CA
By end of 2006-07	Y
Beginning of 2007-08	CA
By end of 2007-08	Y
Beginning of 2008-09	No longer in CA

7. Explain further the six options a district has for improving a school in corrective action status.

If a district has a school or schools identified for CA, the district must choose to take one of the following actions at each school so identified. If a district has more than one school identified for CA, the CA option(s) chosen for one school need not be the same as the one made for another school. However, the choice made by a district for a school identified for CA must be a formal action of the district, either by a written order by an authorized district administrator or by a formal action of the district's governing board of education (and by a local school council for schools operating under Article 34 of the Illinois School Code).

- replacing school staff relevant to the school's failure to make AYP;
- implementing a new curriculum (with appropriate staff development);
- decreasing the management authority at the school;
- appointing an outside expert to advise the school;
- extending the school day or year; or
- reorganizing the school internally.

Replacing School Staff

It is the district that determines “*school staff that are relevant to the failure of the school to make AYP.*” (Section 1116(b) (7) (C) (IV) (I)) This decision is directly related to each district's statutory obligation under Illinois law to determine the teaching competency of each teacher in its employ (IL School Code, Article 24A) and each district's authority to assign staff. Further **NCLB** specifically provides that CA shall not “*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.*” (Section 1116(d))

Transfers and reassignment of staff shall be in accord with all existing contractual provisions and policies in effect within the district at the time the school is identified for CA. Staff refusing an involuntary transfer or involuntary reassignment in connection with CA at a school shall be treated as in the same manner as any other instance of an employee declining involuntary transfer or involuntary reassignment.

If the determination is made to terminate an employee at a school identified for CA on the basis of unsatisfactory performance, such an employee must be afforded all the rights of statutory and contractual due process as in any other case of alleged incompetence. The mere fact that an employee has been working in a school identified for CA is not in and of itself sufficient cause for dismissal or denial of consideration for tenure.

If this option is exercised, the district must be able to justify which staff were transferred, the means used to identify such staff, and the rationale used in selecting replacements.

Implementing a New Curriculum (with appropriate Staff Development)

If the failure to make AYP is the result of inadequate student achievement in mathematics and/or reading/English language arts, the district may wish to choose this option. At minimum, the new curriculum must include the subject matter areas of mathematics and/or reading English language arts, depending on whether either one is (or both are) an area (or areas) in which the minimum number of students for the most recent year tested are not meeting or exceeding state standards, either overall or as part of a subgroup of the required minimum size.

If the district chooses this option for CA, it must be able to produce for ISBE a “before and after” chart or graphic or other documentation that clearly shows that the new curriculum in mathematics and/or reading/English language arts differs substantially from the old (in content and/or delivery) and is more likely than the old curriculum to result in success by all students and all subgroups within the school. The district must be able to verify that the new curriculum is inclusive of scientifically researched-based practices that are substantially different from what have been used before, and better matched to identified and documented student needs. The district must be able to show that the new curriculum is closely aligned with the Illinois Learning Standards; and

- if based on a published model curriculum or on a curriculum in place at another school, that the curriculum adopted has a demonstrated record of effectiveness (in schools of similar demographics and has been effective in raising student achievement as measured by state assessments or nationally normed assessments).

or

- if locally developed, that it takes into account the documented learning needs of any identified underperforming subgroup(s).

The district must also be able to demonstrate and document to ISBE that:

- the new curriculum is accompanied by a mandatory, well-developed and ongoing program of professional development for all relevant staff, grounded on scientifically-based research, and that clearly involves the modeling of appropriate practices and coaching and feedback to teachers expected to deliver the curriculum. The professional development provided must meet the requirements found in the definition of professional development in **NCLB** (Section 9101(34)) and any teacher mentoring must meet the definition found in **NCLB** (Section 9101(42)); and
- the new curriculum includes a local assessment system aligned with the Illinois Learning Standards that is clearly designed to monitor student progress and provide continuous data for instructional decision-making.

Decreasing Management Authority

If a district chooses this option for a school, it must recognize that the intent of the **NCLB** sanction in this case is to reduce a school’s autonomy in several key areas and transfer decision-making authority to the central district office or other body outside the school itself (such as an oversight panel or local school council). This option may

not be viable for some districts where local school autonomy is already very limited or non-existent or where contractual provisions specifically provide for school building autonomy in the areas described below.

If a district chooses this option for a school that currently possesses a significant degree of autonomy, the district must be able to document to ISBE that this autonomy has been substantially reduced or eliminated in one or more of the following areas and transferred to another entity such as the district, local school council, or oversight panel:

- the authority of the school or principal to hire or assign teaching staff;
- the authority of the school or principal to obligate or expend funds;
- the authority of the school staff or principal to determine the curriculum within the building, and/or the teaching practices and methods to be used, and/or the selection of curricular materials, such as textbooks or standardized tests; and/or
- the authority of the school or principal to internally organize its operations, such as assigning or grouping students.

Appointing an Outside Expert to Advise the School

Districts choosing this option for CA should not be deceived by the apparent simplicity of this option as worded. It should be chosen only after the school's efforts to diagnose and remedy the cause(s) of the school's inadequate academic progress have not succeeded.

A district choosing this option must recognize, given the intensity of the other forms of CA and the gravity of the sanctions at the next level (Restructuring or Alternative Governance), that the recommendations made by the outside expert are not to be regarded as "suggestions." The recommendations *must* be implemented *unless* it can be demonstrated that they are contrary to what is indicated by the available data or scientifically-based research. It must be recognized that, in selecting this option, just as with reducing the management authority at the school, the control with regard to authority for identifying and requiring changes at the school is transferred outside of the school.

It is to be expected that these recommendations may and most likely will include significant changes in curriculum, teaching practices, staff assignments, administration, and other areas. Many of these will involve a reordering of budget priorities. Rejection of an outside expert's recommendations solely on the basis of finances is not acceptable.

If the district chooses this option, the outside expert need not be hired or paid by the

district; however, qualified experts may require payment for services. ISBE does not, have at this time, a list of qualified outside experts and does not intend to establish one unless this becomes a federal requirement. An outside expert may be:

- a retired school administrator;
- a practicing administrator from another district;
- a college or university professor within an appropriate discipline;
- a current or retired staff member of an educational service agency, such as a Regional Office of Education (ROE), or from a regional System of Support provider (RESPRO);
- a consultant with an appropriate professional institution or organization, public or private. (Experts from faith-based organizations may be used as long as all laws and regulations governing the transfer of public funds to religious groups are observed);
- other individuals with commensurate, documentable expertise and experience.

However selected and regardless of the expert's current affiliation, a district must be able to demonstrate to ISBE that the individual selected as an outside expert has a proven track record of assisting in the significant increase of student achievement at schools of similar demographics. In addition, if the individual selected has had a past relationship with the school or district, the district must carefully consider whether the individual can maintain sufficient professional detachment and decorum as an outside expert in the new role.

Having selected an appropriate expert, the district must be able to demonstrate and to document, by board resolution or other means, its commitment to implementing the recommendations of the expert in an expeditious manner. However, these must be implemented within the framework of existing contractual provisions (unless such provisions are renegotiated to align with the expert's recommendations).

A small panel of experts may substitute for a single expert as long as all members of the panel are fully qualified and a clearly understood process involving only the panel is established for developing recommendations and resolving any conflicts should the panel members disagree, i.e., the panel must speak with one voice.

A district cannot delay even more stringent sanctions by simply changing the expert(s) or rejecting the expert recommendations unless the recommendations are clearly unreasonable, unsubstantiated, counter-indicated by the available data, or contradicted by scientifically-based research.

Extending the School Day or Year

School districts are authorized by state law to establish the length of the school day

and school year, within the statutory parameters set forth in Section 10-20.12 of the School Code. However, it is recognized that this option is not readily available or practical for many districts inasmuch as the determination of the length of the school day and year are matters within the scope of collective bargaining agreements. Additionally, little or no additional funding is available from state or federal sources at this time for schools to directly support a longer school year.

If a district has been able to modify its existing contractual agreements with the appropriate employee groups and individuals to permit an extension of the school day or year and has provided a meaningful opportunity to all parents to have explained to them the proposed extension and collect feedback, the district must be able to show that the proposed extension is of sufficient length to clearly afford all students in the school or schools identified for CA a substantial extended learning opportunity in terms of:

- additional, expanded or enriched curricular content or clearly enriched and deepened curricular content,

and/or

- additional opportunity to demonstrate mastery of curricular content through standard and alternative assessments.

While no minimum is set in terms of additional minutes or days for this option to be a valid form of CA by law, a minimum of the time represented by the addition of ten (10) regular teaching days of the current length established at the school is suggested. It is the district's responsibility to be able to demonstrate and document to ISBE that the length of the extension provides a substantial extended learning opportunity. Merely adding a few minutes to a school day or a few days to the school year will not be sufficient.

If a district chooses this option for a school or schools in CA, the extension must include all students enrolled in the school and be subject to the same attendance requirements as the regular school day and year. A summer or inter-session program would not qualify as an extension of the school year *unless* attendance was mandatory for all students who were enrolled at the end of the regular school year.

Reorganizing the School Internally

Districts choosing this option must be able to demonstrate and document that a substantial reorganization of the school has taken place. Districts wishing to adopt this option as the form of CA for one or more of their schools in CA status should consult with ISBE's System of Support or Accountability Divisions before implementing

the proposed reorganization initiative. The district must be able to demonstrate and document that the proposed internal reorganization responds to data-based student needs and that there is a high probability that the proposed internal reorganization will result in higher levels of student achievement.

The district determines the nature and characteristics of the reorganization. Examples of a substantial reorganization that a district might consider for a particular school requiring CA include but are not limited to the following:

- organizing a large school into distinct areas or centers with differentiated curricula or thematic orientations, or establishing a school or schools within an existing school;
- adopting some form of block scheduling and formalized team teaching;
- adopting a new internal administrative structure where administrative and supervisory responsibilities are shared among properly qualified staff;
- altering the opening and closing hours of the school to allow students to attend classes in the early morning, late afternoon, or evening;
- reducing the school week in conjunction with perhaps extending the school day or year;
- adopting a partial or full implementation of the “school without walls” concept at the school; or
- converting a substantial part or the school’s entire curriculum to e-learning, accessible to students at their homes or at the school.

These are only suggestions. ISBE does not endorse or recommend any particular form of internal reorganization. It is recognized that a particular district’s range of options in terms of reorganizing a school may be limited by existing contractual obligations or other factors.