



Illinois State Board of Education

January 6, 2006

Guidance Document 06-01

SCHOOL RESTRUCTURING (Federal No Child Left Behind Act of 2001)

*This document is intended to provide non-regulatory guidance on the subject matter listed above.
For specific questions, please contact the person(s) identified in the document.*

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GUIDANCE ON SCHOOL RESTRUCTURING REQUIREMENTS

Illinois State Board of Education

I. Introduction

Both the *No Child Left Behind* Act of 2001 (*NCLB*) and the Illinois School Code contain restructuring requirements that commence when a school does not make adequate yearly progress (AYP) for a fifth consecutive year. (*NCLB* Section 1116(b) (8); 105 ILCS 2-3.25d) The United States Department of Education has described restructuring as follows:

In restructuring, the [district] undertakes a major reorganization of a school, making fundamental reforms, such as significant changes in the school's staffing and governance. The purpose of restructuring is to improve student academic achievement and enable the school to make AYP as defined in the State's accountability system. (USDE, LEA and School Improvement Non-Regulatory Guidance, January 7, 2004)

A district must undertake school restructuring in addition to other requirements set forth in state or federal law which address school improvement. Although school improvement plans submitted to the State Board of Education are generally of a two-year duration, districts may revise their school improvement plan during the same year the school restructuring plan is developed. A school improvement plan must be in place while a school restructuring plan is in process and then implemented. Schools receiving Title I funds must offer public school choice and supplemental educational services while meeting their restructuring obligations.

II. Timeframe for Development and Approval of a Restructuring Plan

After a school does not make AYP for a fifth consecutive year, the district must develop a school restructuring plan that must be approved by the local school board and subsequently by the State Superintendent of Education. (105 ILCS 2-3.25d) The school restructuring plan must be approved by the local school board and submitted to the State Board of Education no later than six months after the district's receipt of notification regarding AYP status. (23 Ill. Adm. Code 1.85 (d)) Districts received notification of AYP status for the 2004-05 school year via IWAS between July 2005 and August 2005. Therefore, districts required to develop a school restructuring plan must have the plan submitted to ISBE in February, 2006.

Under the Illinois School Code, the State Superintendent must approve all restructuring plans. ISBE reviews restructuring plans in accordance with the following standard: **The plan must demonstrate that:**

- (1) the proposed changes are based on data, documented needs and characteristics of students served, and scientifically based practices that are appropriate in light of the school's inability to make adequate yearly progress; and
- (2) the proposed changes are sufficient in scope to promote increased achievement for all the students in the school and have substantial promise of enabling the school to make adequate yearly progress.

(23 Ill. Adm. Code 1.85 (d) (3)) A plan that is not approved must be revised and resubmitted as soon as reasonably possible, but not later than 45 days after its disapproval. (23 Ill. Adm. Code 1.85 (d) (4))

If the school does not make adequate yearly progress for a sixth consecutive year, it must implement the approved restructuring plan beginning with the next school year. (*NCLB* Sec. 1116 (b) (8) (B); 105 ILCS 5/2-3.25d (a))

III. Restructuring Options

Under federal and state law, each school restructuring plan developed by the district must indicate the district is planning to undertake one or more of the following actions in the affected school. (23 Ill. Adm. Code 1.85 (d) (1))¹

1. **Charter School:** Reopen the school as a public charter school, consistent with Article 27A of the School Code (105 ILCS 5/27A);
2. **Staffing:** Replace all or most of the school staff, which may include the principal, who are relevant to the school’s inability to make adequate yearly progress;
3. **Contracting:** Enter into a contract with an entity, such as a private management company with a demonstrated record of effectiveness, to operate the school as a public school; *or*
4. **Other Major Restructuring:** Implement any other restructuring of the school’s governance that makes fundamental reform in:
 - i. Governance and management; and/or
 - ii. Financing and material resources; and/or
 - iii. Staffing.

Whichever option the district selects, the plan must meet the requirements for approval described in Part II of this guidance. Starting on the next page, this guidance provides *examples* of actions a district may take in the affected school under each of these options. The listed actions are not meant to be exhaustive. **A district’s school restructuring plan may identify other actions tailored to the conditions within the district and the needs of the affected school.**

¹ While *NCLB* lists “state takeover” as an option and Illinois law allows the State Superintendent to appoint an independent authority to operate a school or district [105 ILCS 2-3.25f], state takeover is not an option a district can select for restructuring planning.

Reopen school as a public charter school

NOTE: Options here are limited because state law limits the number of schools that may be authorized in Illinois. Please see the following Web site for background and further information: <http://www.isbe.net/charter/Default.htm>. You may also find information in the Illinois School Code, Article 27A at 105 ILCS 5/Art. 27A, Charter Schools.

Charter schools are public, nonsectarian, nonreligious, non-home based, and non-profit schools. In Chicago, new charter schools are limited to a single site. Illinois allows public charter schools to be authorized by local districts as well as by ISBE. A list of currently approved charter schools is on the agency Web site as along with related resources.

Sample Options

- Partner with an approved charter school operator to establish a new charter school.
- A charter school as outlined in state law may be established by converting an existing public school or attendance center to charter school status. In the case of a proposal to establish a charter school by converting an existing public school or attendance center to charter school status, the district must obtain evidence that the proposed formation of the charter school has received the approval of certified teachers, parents and guardians, and, if applicable, a local school council as provided in Section 27A-8 of the School Code.
- A charter school may also be formed through a referenda process as noted in Section 27A-6.5.

Replace all or most of school staff, which may include the principal

NOTE: 1) The parameters of Article 24A of the School Code state that Illinois law requires each district to determine the teaching competency of each teacher in its employ and grants it the authority to assign staff. *NCLB* specifically provides that corrective action will not alter or otherwise affect the rights, remedies and procedures afforded school or district employees under federal, state, or local laws or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between school or district employees and their employers.

2) It is assumed that all staff replacement personnel are highly qualified and capable of assisting the school in meeting AYP.

Sample Options

- Reassign school district personnel who have received National Board Professional Teaching Standards (NBPTS) status to the school or schools needing restructuring, based on data analysis of improvement needs and with sufficient NBPTS staff to meet the needs of the school.
- Implement earlier corrective actions/early restructuring regarding school personnel.
- Transfer the locus of staffing decisions, start to finish, to a turnaround specialist or to the district level from the principal or vice versa.

Enter into a contract with an entity to operate the school, such as a private management company with a demonstrated record of effectiveness

NOTE: The school board must authorize any contractor under this provision to have sufficient authority to plan and implement the changes needed pursuant to the school's data analysis. Under this option, planning for change should occur in the restructuring planning year and does not constitute restructuring. Restructuring occurs with the implementation of the contractor's reforms, and the contractor must guide these changes.

Sample Options

- Partner with a private school management company, such as those which have successfully operated charter schools, to contract for public school services as needed.
- Establish an affiliation for providing significant assistance to the school with an area college or university.
- Hire one or more designated persons to assist the school in making the changes necessary to improve student performance, contracting with an individual or organization (for example, a turnaround specialist, a distinguished educator, personnel from a non-profit educational organization) who will be given sufficient authority to make significant change from the planning stages through implementation.

Any other major restructuring of the school's governance arrangement

Sample Options

- Restructure the school by altering the school's grade configuration (for example, a K-2 school becomes a K-6 school) or the programs offered (for example, the school becomes a magnet school or a career academy), or both.
- Change to a site-based management school rather than centralized administration, or to centralized administration of the school rather than site-based management (non-applicable to a Title I schoolwide school).
- Align the school with an existing research-based school improvement model of sufficient size and scope such that the model, used as prescribed and intended, can affect needed change.
- Use school consolidation processes to create a new public school or schools.
- Use district reorganization processes as outlined in the School Code (see Article 11A for unit district formation, Article 11B for school district combinations, or Article 11D for school district conversion) to fundamentally impact the governance of one or more schools.
- Implement a school-within-a-school model or a smaller learning community model.
- Transfer the locus of financial decision making (from budget through expenditures) and instructional practices to a turnaround specialist or to the district level from the principal or vice-versa

IV. Technical Assistance

ISBE and Northern Illinois University have collaborated on several tools to assist schools and districts in developing and submitting required plans to their boards and to ISBE. Schools which have not made adequate yearly progress for two consecutive years begin a process of revising their school improvement plans biennially. The *Illinois e-Plans' Restructuring Plan Template* may be used by Illinois schools in school improvement status and academic watch status to incorporate the contents of a revised school improvement plan as required by *NCLB*. The template may also be used for schools that must submit a restructuring plan. The template and accompanying guide are to be used together to ensure that users include all requirements of state and federal law for revised school improvement plans and restructuring plans. The Illinois Interactive Report Card has additional features that will assist in creating sound plans that are data driven. These features put relevant data at the fingertips of school and district staff doing the hard work of improvement planning. The use of the template is not required. Schools and districts may continue to use a format that complies with all applicable statutory requirements. The *e-Plans* template may be accessed at the following site: <http://iirc.niu.edu/>.

State and federal laws also require that technical assistance or a system of support be established by the State to help schools improve academic performance. ISBE offers a regionalized system of support to assist schools in academic difficulty. Regional support systems provide improvement support to schools in academic early warning and academic watch status and to schools in federal improvement status, as well as assistance to schools whose performance makes placement on the lists in the near future likely. It is intended that regional service providers (the RESPROs) will serve *all* schools and districts identified for support in the regions in which they are providing services, but a prioritization is acknowledged due to resource availability.

The following two principles guide and permeate the enhanced system of support services offered by the RESPROs in conjunction with ISBE:

- Student, school, and district performance can improve with a systemic and sustainable approach.
- All improvement is local.

The RESPRO system of support approach includes the following components:

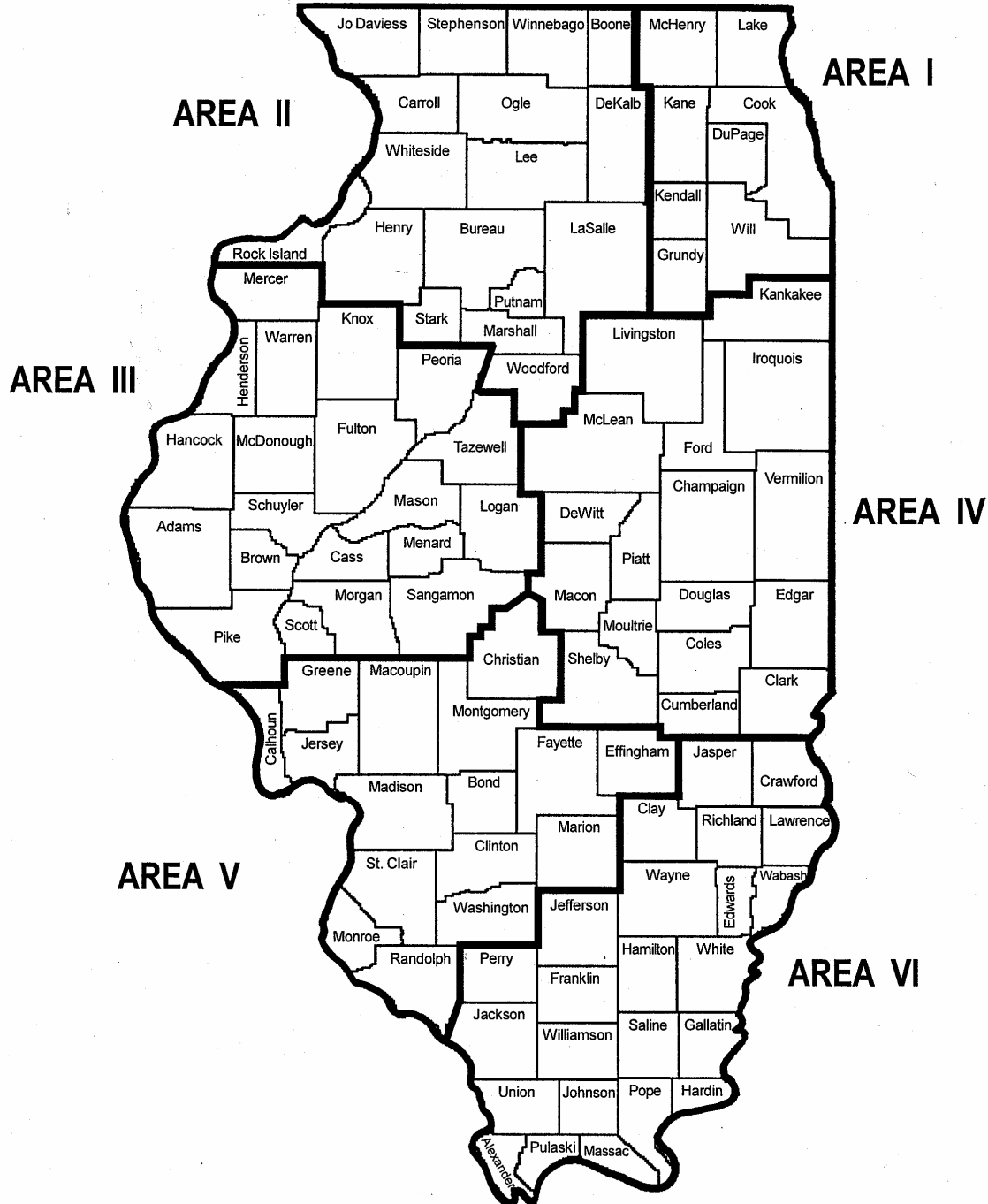
- A central focus on the School Improvement Plan.
- Regionalized oversight and school assistance linked to compliance monitoring.
- Use of proven approaches and standardized processes for specific improvement components.
- Customization for regional and local differences among schools and districts.
- Coordination and leverage across programs, services, and funding.
- Proactive and preventative actions designed to preclude academic difficulty.
- Efficient and effective deployment of state, regional, and local staff and resources.

The following two pages outline the RESPRO service areas and provide RESPRO contact information.

Additional resources and information sites are available on the www.isbe.net/NCLB web site.

SYSTEM OF SUPPORT AND SCHOOL SUPPORT TEAMS

System of Support / RESPRO Service Areas



RESPRO Contacts 2005-2006

Area I A Chicago Public Schools	CPS/SOS Chicago Public Schools Offices of Management & Budget Grants Management & Administration 13th FL Adams 125 South Clark Street Chicago, IL 60630	Dr. Kayleen Irizarry 773/553-4075 kirizarry@cps.k12.il.us
Area IBB Suburban Cook	West Cook ISC 928 Barnsdale Road LaGrange, IL 60526	Dr. Douglas Dirks 708/482-4350 ddirks@west40.k12.il.us
Area IBC	South Cook ISC 253 West Joe Orr Road Chicago Heights, IL 60411	Dr. Diana Grossi 708/754-6600 dgrossi@s-cook.org
Area IBD	North Cook ISC Continental Office Plaza 2340 Des Plaines River Rd, Suite 414 Des Plaines, IL 60018	Ms. Mary Ann Glassner 847/803-3750 mglassner@ncisc.org
Area IC Northeast	Professional Development Alliance 2705 McDonough Street Joliet, IL 60436	Dr. Jay Linksman 815/744-8334 jlinksman@pdaonline.org
Area II Northwest	Boone/Winnebago Regional Office of Education #4 300 Heart Boulevard Loves Park, IL 61111	Ms. Jan Bowman 815/636-3040 jbowman@kidsroe.org
Area III West Central	Two Rivers Professional Development 10112 West Dubois Edwards, IL 61528	Dr. Sally Weber 309/673-1040 sweber@roe48.k12.il.us
Area IV East Central	Iroquois-Kankakee Regional Office of Education #32 189 East Court Street, Suite 600 Kankakee, IL 60901	Ms. Ardella Perry-Osler 815/937-2994 aperry@i-kan.org
Area V Southwest	St Clair Regional Office of Education 500 Wilshire Drive Belleville, IL 62223	Dr. Phil Hunsberger 618/397-8930 phunsberger@stclair.k12.il.us
Area VI Southeast	Alexander/Johnson/Massac/Pulaski/Union Regional Office of Education #2 116 North 4th Street Vienna, IL 62995	Ms. Linda Hasenmyer 618/658-4711 lhasenmyer@roe02.k12.il.us
Illinois Assn. of School Boards	IL Association of School Boards 1 East 22nd Street, Suite 20 Lombard, IL 60148	Ms. Cathy Talbert 630/629-3776 x1234 ctalbert@iasb.com
Illinois Principals Association	Illinois Principals Association 2490 Baker Drive Springfield, IL 62703	Mr. John Ourth 217/659-7875 jourth217@aol.com