



**Handbook for LEAs with Schools
In Restructuring Year 1 (Year 2 Corrective Action)**

**VT Department of Education
School Improvement Team
Integrated Support for Learning**

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I. INTRODUCTION

What is restructuring?

A school that misses Adequate Yearly Progress (AYP) for five or more years (VT Restructuring Year 1 [Year 2 Corrective Action]) is identified for restructuring. Restructuring represents the next step in school accountability that requires local education agencies (LEAs) to take action to ensure the students in the school meet defined academic targets. This handbook offers guidance for the local education agencies responsible for the school's performance as they provide the essential guidance and supports to ensure that "Every learner completes his or her public education with the knowledge and skills necessary for success in college, continuing education, careers, and citizenship." (VT State Board of Education vision statement; <http://education.vermont.gov/new/html/mainboard.html#goals>). The federal definition of 'restructuring' explains, "When a school is in *restructuring status*, the LEA must take intensive and far-reaching interventions to revamp completely the operation and governance of that school. Restructuring means a major reorganization of a school's governance structure arrangement by an LEA that:

- Makes fundamental reforms, such as significant changes in the school's staffing and governance, to improve student academic achievement in the school;
- Has substantial promise to improve student academic achievement and enable the school to make AYP, and
- Is consistent with State Law."

In Vermont, restructuring must include a *substantive change* in the administration, management, decision-making and delivery of school improvement initiatives. The end result of an effective restructuring process is a stronger, more responsive, more effective education system that ensures the success of all its students.

The Superintendent serves a vital role in the restructuring process.

VSA Title 16, §242 Duties of Superintendent, outlines the duties of the superintendent as the "chief executive officer" of the "supervisory union board and for each school board within the supervisory union". Part 2 states that the superintendent shall "prepare, for adoption by a local school board, plans to achieve the educational goals and objectives established by the school district." Part 6 states that the superintendent shall "provide for the general supervision of the public schools in the supervisory union or district." This is consistent with the role of the LEA described in ESEA in restructuring planning, approval of restructuring plans, and oversight of implementation of the plan.

"This means that the school a child attends has an effect on his performance, regardless of his own personal background.

So while schools cannot change students' socioeconomic status, they have the potential to improve students' academic outcomes by focusing on factors within their control."

Roots of Success in Vermont Schools, p. 11

For purposes of Restructuring, we require an executive role of guidance and leadership on the part of the superintendent.

Restructuring is a two-step process: in the first step, the LEA must lead a team in preparing a plan for restructuring the school concurrently with implementing the school's "corrective action" plan developed the previous year (fourth year of not meeting AYP). In addition to developing the restructuring plan, the LEA must take a leadership role in making preliminary arrangements to implement the plan.

The second step of the process is initiated when a school does not make AYP during the restructuring planning year. At this point, the school must be ready to begin implementation of the restructuring plan the following fall (Restructuring Year 2[Corrective Action Year 3] - see Table on p.6). See **Appendix A** for federal regulations on restructuring; see **Appendix B** for a link to LEA/School Improvement Guidance, G-1 through H-11.

The LEA (supervisory union/district) is responsible for overseeing development of the school restructuring plan as well as enacting other requirements set forth in federal and state law that address school improvement. If a school receives Title 1 funds, the LEA must ensure notification of parents and teachers of the school's restructuring status and what it means, how academic achievement levels at this school compare to those at other schools in the LEA and 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 LEA must provide both parents and teachers with the opportunity to comment before it takes any restructuring action and invite them to participate in the development of the restructuring plan. In addition, our public school choice options and Supplemental Educational Services (SES) must continue to be offered. These federally required actions continue from previous accountability stages while the LEA makes the necessary arrangements to carry out one of the options that constitute 'restructuring.'

The obligations of the LEA to provide the intensive support needed to undertake dramatic change at a school in Restructuring Year 1 (Year 2 Corrective Action) for schools receiving Title I funds is in addition to its obligations defined in [V.S.A. Title 16 § 165](#) describing the standards of quality for public schools. References to the district's responsibility for the schools in its jurisdiction are found in Title 16 § 165 (b). See **Appendix C** for the current text of Title 16.

Restructuring is a continuous improvement strategy that requires regular and frequent monitoring and periodic revision in response to new data. The LEA must include plans to monitor the fidelity of implementation of the improvement strategies as well as the impact of the plan's initiatives on student achievement and school effectiveness.

What is meant by "alternative governance"?

Federal regulations provide five options for alternative governance that LEAs may choose:

Alternative Governance Arrangements [NCLB 1116 (b)(8)(B)(I-v)]:

- Reopen the school as a public charter school.
- Replace all or most of the school staff, which may include the principal, who are relevant to the school not making AYP.
- Enter into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to operate the public school.
- Turn the operation of the school over to the state, if permitted under state law and agreed to by the state.
- Carry out any other major restructuring of the school's governance arrangements that makes fundamental reforms, such as significant changes in the school's staffing and governance, to improve academic achievement in the school. The actions must have substantial promise of enabling the school to make AYP as defined in the state plan.

Of these five options, most LEAs across the nation have chosen to carry out “other major restructuring of the school’s governance arrangements.” The key terms in this option include “fundamental reforms” offering “substantial promise” that student achievement will improve sufficiently to enable the school to meet its AYP targets. The criteria for creating a credible plan for restructuring are framed by those key phrases.

LEAs across the country have implemented a range of alternatives designed to comply with the definition of “other major restructuring of the school’s governance” listed in federal regulations. LEAs in Vermont may use these examples to devise a restructuring plan that fits the local context and makes optimal use of the supervisory union/district’s resources to improve student achievement.

Examples of “other major restructuring of the school’s governance” arrangements may include but not be limited to (as allowable under legal and regulatory guidance):

- Changing the governance structure of the school in a significant manner that either diminishes school-based management and decision-making or increases control, monitoring and oversight of the school’s operations and educational program by the LEA focusing specifically on school improvement;
- Closing the school and reopening it as a focus or theme school with new staff or staff skilled in the focus area;
- Reconstituting the school into smaller autonomous learning communities;
- Dissolving the school and assigning students to other schools in the district;
- Pairing the school in restructuring with a higher performing school so that grades K-3 from both schools are together and grades 4-5 from both schools are together;

“It is not a single program or strategy that ensures student success. Rather, effective schools create a comprehensive education system to best meet the needs of all students.”
Roots of Success in Vermont Schools, p 62

- Expanding or narrowing the grades served;
- Implementing a new administrative structure where administrative and supervisory responsibilities and accountability for student outcomes are shared among properly qualified staff;
- Hire a qualified outside expert supervised by the LEA to be responsible for curriculum, instruction and assessment with specific focus on school improvement.

A key phrase in this list of examples is: “. . . may include but is not limited to . . .” LEAs can develop a plan for restructuring that is unique to their school as long as the change represents “fundamental reforms” that demonstrate “substantial promise” of raising student achievement. Changes that represent minor adjustments to existing operations, structures, or practices are likely to be insufficient to remedy the substantial inadequacies that led to the school’s accountability designation.

What are the responsibilities of the State for restructuring?

The State is charged with the responsibility of ensuring that LEAs carry out their obligations with respect to schools in restructuring, namely

- preparing a credible plan for restructuring
- providing sufficient guidance, support, and resources to make certain the plan is implemented as designed; and
- monitoring the impact of the plan to ensure that students meet expected levels of achievement, revising the plan if targets are not met.

This handbook provides guidance to the LEAs for meeting their commitments to the students in their care across these three critical areas of responsibility. The State will request evidence that the LEA has carried out its obligations carefully and conscientiously to bring the benefits of a quality education to all Vermont students.

What is the restructuring timeline?

The general progression of the accountability continuum is shown below in Table 1. The restructuring designation occurs after the school fails to make AYP for five years in the same subject area. The expectations, both federal and state, for a school designated in ‘restructuring’ reflect the need to make significant changes to existing structures, operations and practices to ensure every student can succeed in college, career and as contributing citizens. A detailed timeline of the tasks for the first step of restructuring, the planning year, is shown in Table 2 in the following section of the *Handbook*.

TABLE 1: Accountability Progression and Federal LEA Responsibilities
(for schools receiving Title I funds)

Did NOT Make AYP*	First Year	Second Year	Third Year	Fourth Year	Fifth Year	Sixth Year
AYP Status	First Checkmark Schools	Year 1 School Improvement	Year 2 School Improvement	Year 1 Corrective Action	Restructuring Year 1 (Year 2 Corrective Action)	Restructuring Year 2 (Year 3 Corrective Action)
School & LEA Responsibilities		--Write and implement school improvement plan	--Revise and implement school improvement plan	-- Revise and implement school improvement plan AND one corrective action	-- Implement school improvement plan while developing a restructuring plan	--Implement restructuring plan
		--Offer school choice	--Offer school choice	--Offer school choice	--Offer school choice	--Offer school choice
			--Offer Supplemental Educational Services (SES)	--Offer SES	--Offer SES	--Offer SES

Recommended activities for the LEA during the restructuring planning year are outlined in Table 2, below. The table proposes a year-long sequence of actions LEAs need to take to execute a meaningful and productive restructuring planning process. The tasks in the table below are sorted by the agency responsible for the actions, the LEA and the State. The dates are approximate and may change as assessment timelines or other factors are adjusted in the future.

TABLE 2: Restructuring Planning Year Tasks by Agency

Approximate Date	VT DOE Actions	LEA (SU, District) and School Actions
April	AYP results released ; Schools and LEAs notified of status	<u>LEAs notified</u> of schools not making AYP for a fifth year
May / June (prior to the end of the school year)	Inform LEAs with schools in restructuring of their responsibilities. Provide opportunities to discuss guidance in <i>Handbook for Restructuring</i> Confirm current resources (federal, state) available to each LEA for its restructuring schools. Identify VT DOE School Improvement Coordinator for each SU with schools in restructuring.	<u>LEA</u> notifies teachers of the school's restructuring status <u>LEA</u> notifies community of the school's restructuring status <u>LEA</u> recruits members for the restructuring planning team (see guidance in <i>Handbook</i>) <u>LEA and planning team leaders</u> participate in orientation meeting for restructuring.

Approximate Date	VT DOE Actions	LEA (SU, District) and School Actions
Summer / Fall	<p>Maintain communication with LEA restructuring team</p> <p>Monitor compliance with notification, choice and SES requirements.</p> <p>DOE School Improvement Coordinators meet to organize support services to SUs/ Districts.</p>	<p><u>LEA continues</u> implementation of school improvement plan.</p> <p><u>LEA continues</u> offering required federal actions for Title I schools --- public school choice, supplemental education services. LEA submits copies of compliance letters to VT DOE.</p> <p><u>LEA</u> initiates a comprehensive needs assessment across core aspects of the school – leadership, governance, professional development, instructional practices.</p>
Fall	<p>Maintain communication with LEA restructuring team.</p> <p>Provide opportunities for LEAs to collaborate as resources allow.</p>	<p><u>LEA</u> continues leading a comprehensive needs assessment process with the school.</p> <p><u>LEA</u> provides access for restructuring team to participate in available training to build skill in school improvement processes.</p>
Fall/ Winter	<p>DOE School Improvement Coordinators continue to communicate with LEAs (SU or District) throughout their needs assessment process.</p>	<p><u>LEA</u> facilitates completion of the comprehensive needs assessment with the school.</p>
Winter	<p>Plan and conduct progress meeting with LEAs and restructuring planning teams.</p> <p>Review and update the <i>Handbook</i> and other guidance to LEAs.</p> <p>Disseminate current guidance (<i>Handbook</i>) to LEAs supporting schools in Restructuring Year 1 (Year 2 corrective action).</p>	<p><u>LEA</u> participates in scheduled progress meetings</p> <p><u>LEA</u> reviews results of the comprehensive needs assessment with the school, begins drafting restructuring plan.</p>
Spring	<p>Maintain communication with LEA and restructuring team.</p> <p>Review and approve restructuring plans</p>	<p><u>LEA</u> revises restructuring plan if desired in response to feedback from peers</p> <p><u>LEA</u> submits Restructuring Plan to VT DOE (see template in Appendix E)</p>
April	<p>Announce AYP Results</p>	<p><u>LEA</u> allocates resources to implement restructuring plan</p>
May/ June	<p>Provide information and guidance for restructuring implementation</p>	<p><u>LEA</u> and school carry out designated restructuring plans</p>

II. RESPONSIBILITIES AND SUPPORTS

To have the desired impact – namely, to dramatically improve student achievement -- the process of restructuring demands skilled leadership, deep understanding of local conditions, and broad knowledge of effective school practices. The history of change efforts in schools underlines a central truth: **schools cannot do it alone**. Indeed, the success of school improvement efforts depends on the *partnership* between each school and its supervisory union/district as well as between the school/SU/district and community stakeholders. The LEA is the agency responsible for allocating resources and overseeing local instructional and operational policies. It is the LEA who is accountable to the community for the educational outcomes of its students.

The State is also an active partner in advancing student success. Support from the SEA is primarily in the form of the connections it can help LEAs make with

- other VT schools and districts in similar situations who are demonstrating positive student outcomes;
- reputable providers with expertise with the populations and challenges faced by the school;
- the research on effective educational structures and practices; and
- local, state and national technical assistance support networks.

Together, the SEA, LEA, school staff, families and community partners can create an educational system in which students can and do meet high expectations.

Remember: restructuring is not a one-time responsibility but rather the next step in a continuous improvement process. Table 3 below outlines some of the responsibilities of the SEA and the LEA along the stages of the improvement process. It lists some of the supports each should be prepared to contribute to ensure the school achieves its expected outcomes.

“...schools matter. While student characteristics, such as socioeconomic status, undeniably affect academic achievement, our survey and site visit findings demonstrate that schools are capable of altering that relationship through the development of an effective, cohesive, responsive *education system*. Not only must we hold students to high expectations, we must hold ourselves to the creation of effective educational systems that support students to meet these high expectations in each of our schools.”

Roots of Success in Vermont Schools, p.6

TABLE 3: Responsibilities for Restructuring Year 1 (Year 2 Corrective Action)

Improvement Process	SEA	LEA
Establish Team	Identify schools in Restructuring Year 1 (Year 2 Corrective Action)	Continue required federal actions (ESEA Title I) Recruit and select a representative team committed to a high quality improvement process. Provide skilled leadership to ensure team effectiveness.
Assess Needs	Provide guidance to LEAs	Select the tools and process for a comprehensive needs assessment Provide data summaries to the restructuring planning team in usable formats Provide expertise to guide data review and analysis Provide leadership to Schools on: -- effective team function -- comprehensive needs assessment -- creating a realistic and reasonable restructuring plan
Create Plan	Define the criteria for a “credible” restructuring plan	Lead a coherent and efficient plan development process
	Provide assistance identifying suitable peer reviewers	Establish regular reviews by stakeholders at these points -- gap analysis -- goal statements -- action/ strategies -- throughout implementation
Review and Approve Plan	Review and approve LEA plan for restructuring	
Implement Plan	Assess whether the LEA is carrying out its responsibilities to support schools in restructuring	Assure deployment of appropriate staff Monitor plan implementation; make adjustments
Monitor and Revise Plan	Partner with VSA, VPA, VSBA, VCSEA to -- disseminate information -- gather feedback on SEA services -- provide input for on-going refinement of state services	Monitor plan impact on student achievement. Build local capacity across LEA by -- convening locally to share best practices -- encourage coordinated activities across Districts, schools

III. PLAN COMPONENTS AND CRITERIA

What constitutes a credible restructuring plan?

The end product of a worthwhile restructuring planning process is a plan for improvement that incorporates “fundamental reforms” that demonstrate “substantial promise” of raising student achievement, as described in the “other” restructuring option in federal regulations:

“... other major restructuring of the school's governance arrangement that makes fundamental reforms, such as significant changes in the school's staffing and governance, to improve student academic achievement in the school and that has substantial promise of enabling the school to make adequate yearly progress as defined in the State plan under section 1111(b)(2).”

<http://www2.ed.gov/policy/elsec/leg/esea02/pg2.html#sec1116>

As a starting point, the plan must be based on an accurate identification of the barriers to student achievement at the school and select strategies designed to minimize or eliminate those barriers. The activities in the plan must respect the capacity of the school leaders and staff to carry them out, and include the time and training needed to allow for differences in skill among the staff. The plan must include regular and realistic measures of the quality of implementation as well as frequent monitoring of the impact of the plan's activities on student outcomes. Restructuring plans are not cast in concrete, so the LEA must include opportunities to revise the plan in light of new evidence of school performance.

The LEA is the agency responsible for facilitating development of a realistic restructuring plan for its schools. In turn, the SEA is obliged “to determine if each local educational agency is carrying out its responsibilities” (<http://www2.ed.gov/policy/elsec/leg/esea02/pg2.html#sec1116>) As evidence that it has provided adequate leadership of the restructuring planning process and guided the school to create a credible restructuring plan, the LEA will be asked to describe the key elements of its process in the Restructuring Plan. (See Restructuring Plan Template)

“Schools mentioned the various ways the district administration and school board assisted them in their efforts to improve student outcomes and also credited their local community for their ongoing support. While much of the success these schools have experienced can be attributed to the vision, hard work, and dedication of those inside the school building, the role of external partners cannot be overlooked. In the absence of such support, school reform is often more difficult and time consuming to achieve.”

Roots of Success in Vermont Schools,
p. 56

Specifically, the questions to be answered by the LEA to demonstrate it has provided leadership and support include:

1. Evidence of a representative planning team

Who are the representatives on the team responsible for assessing current status and planning for change?

2. Data analysis

What student achievement data was examined?

What other types of data were reviewed and what conclusions were drawn?
What were the findings of the VT DOE School Improvement audit?

For suggested data sources see: <http://eff.csuchico.edu/downloads/MMeasure.pdf>

3. Design of the Plan

Which of the federal options has the LEA selected for restructuring the school?

Explain how the selected option will lead to improved student achievement.

What are the links between the restructuring option and the barriers to student achievement?

What are the gaps between current practices and those with evidence of effectiveness *in schools like this one*?

Describe how the strategies in the plan can be accomplished with the existing capacity of the school (time, expertise).

If current capacity is limited, explain how the LEA will build capacity to reach needed levels.

4. School Improvement History

What strategies have been tried in the past to remove barriers to student success?

What has worked? What hasn't?

Provide the evidence/ data to substantiate your conclusions about the impact of previous initiatives.

5. Root Causes

Describe the process used to determine the root causes of poor student achievement.

Describe the link between student achievement outcomes and current school programs and practices. See Appendix D

6. Peer Review Feedback

Who were the peers who reviewed your draft restructuring plan?

What changes did you make in response to the peer feedback?

What are the components of a restructuring plan?

The minimum components of a realistic restructuring plan are defined in many books, articles, websites and guidance documents. A credible, realistic plan will include *at least*:

- Clear, explicit *goals* that describe the student achievement outcomes that will result if the plan's activities are fully and faithfully implemented;
- Intermediate *objectives* whose attainment will allow the school to measure its progress toward the goal

- *Strategies and accompanying activities* to accomplish the objectives that have the greatest likelihood of promoting success for all students in the core academic areas
- *Resources* (money, time, materials) allocated to carry out the strategies
- *Timeline* for enacting each of the strategies in the plan
- Identification of a *person responsible* for oversight of each strategy
- Plans for collecting evidence to *monitor implementation* of each strategy at frequent and regular intervals, and
- Plans for collecting evidence to *monitor the impact* of the plan's strategies on student and school performance

The LEA may choose to supplement these essential components in the plans developed for its schools in restructuring. Ultimately, the usefulness of the plan will be determined by the ability of the staff to put it into action. The quality of the plan will be judged by the improvement of student achievement that it fosters.

A plan template with the essential components is shown in. (See Restructuring Plan Template)

How can the LEA assure a quality restructuring plan?

One of the responsibilities of the LEA is to develop a credible restructuring plan. To verify the quality of the plan developed for the school, the SU/district can identify and convene representatives from other schools within or outside the district, as mutually agreed upon by the superintendent and school board, in a "peer review" process. The Vermont Department of Education (VDOE) School Improvement Coordinators can suggest possible educators to serve as helpful reviewers.

"Our charge now is to implement successful systems, like the ones profiled in this report, in each of our schools. If we do so, we have the potential to close long-standing, stubborn achievement gaps and improve outcomes for all Vermont students."
Roots of Success in Vermont Schools p. 62

The purpose of the peer review team is to provide an independent assessment of the likelihood that the restructuring plan will be effective in raising student achievement and improving educational practices at the school. The peer review team may recommend changes in the plan for the district to consider, as needed.

Following the peer review process, the district superintendent recommends approval of the restructuring plan to the local school board, and this recommendation reflects the district's confidence that the restructuring plan has met all state and federal requirements and contains strong educational practices that have a high probability of improving the school's academic performance. The restructuring plan is then adopted by resolution of the local school board at a public meeting of the board after which the superintendent and the board submit the plan to the Vermont Department of Education describing how it has met its essential obligations, namely:

- The restructuring plan meets all requirements and standards for approval;

- The educational practices found in the restructuring plan are sound and contain local support at all levels to ensure successful implementation;
- The restructuring plan has a high probability of improving student achievement and meeting improvement targets.

IV. RESOURCES FOR RESTRUCTURING

The LEA may wish to access these resources to enhance its own capacity to lead a worthwhile and meaningful improvement planning process for its schools in Restructuring Year 1 (Year 2 Corrective Action). An LEA can best serve its schools if it has assessed the skills, knowledge, time and expertise among its own staff and assigned a skilled leader to manage a process that results in a plan that offers “substantial promise” of dramatic change.

These resources are offered as advisory only. They are not required, recommended or preferred by the VT Department of Education. They are resources that have been used to good effect in other states to meet critical demand for rapid improvement in student outcomes.

Establishing a restructuring team

Johnson, D. and F. Johnson. 1994. *Joining together: group theory and group skills*. Needham Heights, MA: Allyn and Bacon.

National School Reform Faculty (NSRF). <http://www.nsrffharmony.org/> Founded to promote the establishment of critical friends groups; website is a source of a rich library of free collaborative professional learning tools and facilitator guidance.

National Staff Development Council (NSDC). Membership allows access to newsletters and tools for school teams, principals, district leaders. (www.nsdcc.org)

Schwarz, R. 2002. *The skilled facilitator: A comprehensive resource for consultants, facilitators, managers, trainers, and coaches*. San Francisco: Jossey-Bass.

The School Reform Initiative. www.schoolreforminitiative.org. See National School Reform Faculty.

Creating a Vision of Continuous Improvement

Brinson, D. and Morando Rhim, L. 2009. Breaking the Habit of Low Performance: Successful School Restructuring Stories. Center on Innovation & Improvement. Lincoln, IL: Academic Development Institute.

Fullan, M. 2001. *The new meaning of educational change. Third Edition.* New York: Teachers College Press.

Redding, S. 2006. *The Mega System: Deciding, Learning, Connecting. A handbook for continuous improvement within a community of the school.* Lincoln, IL: Academic Development Institute.

Reeves, D. 2009. *Leading change in your school: How to conquer myths, build commitment, and get results.* Arlington, VA: Association for Supervision and Curriculum Development (ASCD).

Senge, P., N. Cambron-McCabe, T. Lucas, B. Smith, J. Dutton and A. Kleiner. 2000. *Schools that learn: A fifth discipline fieldbook for educators, parents, and everyone who cares about education.* New York: Doubleday.

VT Department of Education. 2009. *Roots of Success: Successful Practices in Vermont Schools.* www.rootsofsuccess.wordpress.com

VT Parent Information Center (Vermont Family Network) <http://www.vermontfamilynetwork.org/i-need-help-with/parent-involvement-in-school/pirc-vermont/>

Walberg, H. Ed. (2007). *Handbook on restructuring and substantial school improvement.* Charlotte, NC: Information Age Publishers.

Zmuda, A., R. Kuklis, and E. Kline. 2004. *Transforming schools: Creating a culture of continuous improvement.* Alexandria, VA: Association for Supervision and Curriculum Development (ASCD).

Selecting and Recruiting External Providers

Selecting the Intervention Model and Partners/Providers for a Low-Achieving School: A Decision-Making and Planning Tool for the Local Education Agency. Center on Innovation & Improvement. <http://www.centerii.org/leamodel/>

Comprehensive Needs Assessment

Vermont DOE School Improvement Audit

Developing Realistic and Manageable Plans

Bernhardt, V. L. 2002. *The school portfolio toolkit: A planning, implementation and evaluation guide for continuous school improvement.* Larchmont, NY: Eye on Education.

W. K. Kellogg Foundation (2001). [<http://www.wkkf.org/>] W. K. Kellogg Foundation Logic Model Development Guide.

Presentation

Guidance for VT LEAs with Schools in Year 2 Corrective Action – Restructuring. Slides and link to recorded Webinar at:
http://education.vermont.gov/new/html/pgm_improvement.html

APPENDIX A: ESEA Section III6

<http://www2.ed.gov/policy/elsec/leg/esea02/pg2.html#sec1116>

(8) RESTRUCTURING-

(A) FAILURE TO MAKE ADEQUATE YEARLY PROGRESS— If, after 1 full school year of corrective action under paragraph (7), a school subject to such corrective action continues to fail to make adequate yearly progress, then the local educational agency shall—

- (i) continue to provide all students enrolled in the school with the option to transfer to another public school served by the local educational agency, in accordance with paragraph (1)(E) and (F);
- (ii) continue to make supplemental educational services available, in accordance with subsection (e), to children who remain in the school; and
- (iii) prepare a plan and make necessary arrangements to carry out subparagraph (B).

(B) ALTERNATIVE GOVERNANCE—Not later than the beginning of the school year following the year in which the local educational agency implements subparagraph (A), the local educational agency shall implement one of the following alternative governance arrangements for the school consistent with State law:

- (i) Reopening the school as a public charter school.
- (ii) Replacing all or most of the school staff (which may include the principal) who are relevant to the failure to make adequate yearly progress.
- (iii) Entering into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to operate the public school.
- (iv) Turning the operation of the school over to the State educational agency, if permitted under State law and agreed to by the State.
- (v) Any other major restructuring of the school's governance arrangement that makes fundamental reforms, such as significant changes in the school's staffing and governance, to improve student academic achievement in the school and that has substantial promise of enabling the school to make adequate yearly progress as defined in the State plan under section 1111(b)(2). In the case of a rural local educational agency with a total of less than 600 students in average daily attendance at the schools that are served by the agency and all of whose schools have a School Locale Code of 7 or 8, as determined by the Secretary, the Secretary shall, at such agency's request, provide technical assistance to such agency for the purpose of implementing this clause.

(C) PROMPT NOTICE- The local educational agency shall—

- (i) provide prompt notice to teachers and parents whenever subparagraph (A) or (B) applies; and
- (ii) provide the teachers and parents with an adequate opportunity to—
 - (I) comment before taking any action under those subparagraphs; and
 - (II) participate in developing any plan under subparagraph (A)(iii).

APPENDIX B: LEA AND SCHOOL IMPROVEMENT GUIDANCE

USED provides extensive guidance for LEAs with schools in restructuring. Below is the list of questions answered in the guidance related to restructuring planning year and implementation year activities. LEAs can follow the link to read the full response to each question.

LEA and School Improvement, Non-Regulatory Guidance, REVISED, July 21, 2006. Student Achievement and School Accountability Programs, Office of Elementary and Secondary Education, U.S. Department of Education.

<http://www2.ed.gov/policy/elsec/guid/schoolimprovementguid.pdf>

SCHOOL RESTRUCTURING

G. SCHOOL RESTRUCTURING – YEAR ONE PLANNING

- G-1.** What is restructuring?
- G-2.** What causes a school to be identified for restructuring?
- G-3.** What is the timeline for the restructuring process?
- G-4.** What notification requirements apply when a school is identified for restructuring?
- G-5.** What action must an LEA take when it identifies a school for restructuring?
- G-6.** What responsibilities does an LEA have to parents of the children in a school that is planning for restructuring?
- G-7.** What alternative governance arrangements must an LEA plan to implement?
- G-8.** What constitutes “other major restructuring of the school’s governance” under §1116(b)(8)(B)(v) of NCLB?
- G-9.** If the restructuring process results in the creation of a new school, may that restructured school be treated like any other new school in the State’s accountability system?

- G-10.** What process should an LEA follow to determine which “restructuring” option is the right one and matches the reason the school is in year four of improvement?
- G-11.** What type of “alternative governance option” should be chosen for a school that has been identified solely due to the performance of a specific student subgroup (i.e., children with disabilities, children with limited English proficiency, children who are economically disadvantaged) or solely due to insufficient participation?
- G-12.** NCLB states that small, rural school districts may contact the Secretary of Education for assistance in restructuring. What assistance will the Department provide for such requests?
- G-13.** Must an LEA continue to provide technical assistance to a school in year one of restructuring?
- G-14.** What effect do the school restructuring requirements have on an LEA’s collective bargaining agreements?
- G-15.** In light of collective bargaining agreements and employee protections, what are suggested alternatives to restructuring a staff that may be contributing to the school being identified for restructuring?
- G-16.** How does a school that is planning for restructuring or implementing a restructuring action exit restructuring status?

H. SCHOOL RESTRUCTURING – YEAR TWO (PLAN IMPLEMENTATION)

- H-1.** What causes a school to enter year two of restructuring?
- H-2.** What action must an LEA take when one of its schools is identified for year two of restructuring?
- H-3.** What notification requirements apply when a school is identified for year two of restructuring?
- H-4.** What technical assistance must an LEA provide, or provide for, while the school is in year two of restructuring?
- H-5.** Must a school identified for restructuring, spend not less than 10 percent of its allocation of Title I, Part A funds for professional development?
- H-6.** If a school completes two years in restructuring, what is its status relative to the school improvement timeline?
- H-7.** What are the expectations after a school has been restructured?

- H-8** Does the LEA or school need to submit some type of report or a plan to the SEA describing how the school has been restructured?
- H-9.** Are SEAs expected to monitor restructured schools through the State's compliance monitoring process?
- H-10.** Are there consequences if an LEA does not undertake required planning for schools in Restructuring Year 1 or implementing restructuring plans for schools in Restructuring Year 2?
- H-11.** What information and resources are available to help district and State leaders choose the best restructuring option for each school? Where can LEAs and schools access information about school restructuring?

APPENDIX C: VERMONT STANDARDS OF QUALITY FOR PUBLIC SCHOOLS (V.S.A. Title 16 § 165)

The Vermont Statutes Online

Title 16: Education

Chapter 3: STATE BOARD OF EDUCATION

16 V.S.A. § 165. Standards of quality for public schools; equal educational opportunities

§ 165. Standards of quality for public schools; equal educational opportunities

(a) In order to carry out Vermont's policy that all Vermont children will be afforded educational opportunities which are substantially equal in quality, each Vermont public school, including each technical center, shall meet the following school quality standards:

(1) The school shall, through a process including parents, teachers, students and community members, develop, implement, and annually update a comprehensive action plan to improve student performance within the school. The plan shall include goals and objectives for improved student learning and educational strategies and activities to achieve their goals. The plan shall also address the effectiveness of efforts made since the previous action plan to ensure the school maintains a safe, orderly, civil and positive learning environment which is free from harassment, hazing and bullying. The school shall assess student performance under the plan using a method or methods of assessment developed under subdivision 164(9) of this title.

(2) The school, at least annually, reports student performance results to community members in a format selected by the school board. In the case of a regional technical center, the community means the school districts in the service region. The school report shall include:

(A) information indicating progress toward meeting standards from the most recent measure taken;

(B) [Repealed.]

(C) information indicating progress toward meeting the goals of an annual action plan;

(D) any other statistical information about the school or community that the school board deems necessary to place student performance results in context;

(E)-(G) [Repealed.]

(H) a description of how the school ensures that each student receives appropriate career counseling and program information regarding availability of education and apprenticeship program offerings at technical centers;

(I) [Repealed.]

(J) if the school is a secondary school, information and supporting data presented in a manner designed to protect student confidentiality on the dropout and graduation rates; and

(K) data provided by the commissioner which enable a comparison with other schools, or school districts if school level data are not available, for cost-effectiveness. The commissioner shall establish which data are to be included pursuant to this subdivision and, notwithstanding that the other elements of the report are to be presented in a format selected by the school board, shall develop a common format to be used by each school in presenting the data to community members. The commissioner shall provide the most recent data available to each school no later than October 1 of each year. Data to be presented may include student-to-teacher ratio, administrator-to-student ratio, administrator-to-teacher ratio, and cost per pupil.

(3) The school substantially meets standards adopted by rule of the state board regarding conditions, practices and resources of schools. The standards shall address those aspects of the following which are most closely associated with improving student performance:

(A) school leadership, staffing and support services;

(B) instructional practices and curriculum leadership, content and coordination;

(C) educational materials and school facilities;

(D) access to current technology.

(4) The school shall provide for and the staff shall use needs-based professional development designed to improve the quality of education provided to the students and directly connected to standards for student performance established by the state board and any other educational performance goals established by the school board.

(5) The school uses staff evaluation to advance educational performance objectives.

(6) The school ensures that students receive appropriate career counseling and program information regarding the availability of education and apprenticeship program offerings at technical centers. In addition, the school, if it is a secondary school, offers a genuine opportunity to access technical education programs.

(7) The school ensures that students are furnished educational services in accordance with any state or federal entitlements and in a nondiscriminatory manner.

(8) The school maintains a safe, orderly, civil and positive learning environment, which is free from hazing, harassment and bullying, and based on sound instructional and classroom management practices and clear discipline policies that are consistently and effectively enforced.

(b) Every two years, the commissioner shall determine whether students in each Vermont public school are provided educational opportunities substantially equal to those provided in other public schools. If the commissioner determines that a school is not meeting the quality standards listed in subsection (a) of this section or that the school is making insufficient progress in improving student performance in relation to the standards for student performance set forth in subdivision 164(9) of this title, he or she shall describe in writing actions that a district must take in order to meet either or both sets of standards and shall provide technical assistance to the school. If the school fails to meet the standards or make sufficient progress by the end of the next two-year period, the commissioner shall recommend to the state board one or more of the following actions:

(1) continue technical assistance;

(2) adjust supervisory union boundaries or responsibilities of the superintendency;

(3) assume administrative control only to the extent necessary to correct deficiencies; or

(4) close the school and require that the school district pay tuition to another public school or an approved independent school pursuant to chapter 21 of this title.

(c) The state board, after offering the school board an opportunity for a hearing, shall either dismiss the commissioner's recommendation or order that one or more of the actions listed in subsection (b) of this section be taken. The action ordered by the state board shall be the least intrusive consistent with the need to provide students attending the school substantially equal educational opportunities. A school board aggrieved by an order of the state board may appeal the order in accordance with the Rules of Civil Procedure.

(d) Nothing herein shall be construed to entitle any student to educational programs or services identical to those received by students in the same or any other school district. Further, nothing herein shall create a private right of action.

(e) If the commissioner determines at any time that the failure of a school to meet the school quality standards listed in subsection (a) of this section is severe or pervasive, potentially results in physical or emotional harm to students or significant deprivation of equal education opportunities, and the school has either unreasonably refused to remedy the problem or its efforts have proved ineffective, he or she may recommend to the state board one or more of the actions listed in subsection (b) of this section. The state board shall then follow the procedure of subsection (c) of this section.

(f) In order to be designated an independent school meeting school quality standards, an independent school shall participate in the school quality standards process of subsection (b) of this section. An independent school shall receive technical assistance in accordance with the provisions of subsection (b), but shall not be subject to subdivisions (b)(2)-(4) of this section. The school shall be an independent school meeting school quality standards unless the state board, after opportunity for hearing, finds that:

(1) the school has discontinued its participation in the school quality standards process; or

(2) two or more years following a determination that the school is not meeting the quality standards or that the school is making insufficient progress in improving student performance, the school fails to meet the standards or make sufficient progress toward meeting the standards. (Added 1969, No. 298 (Adj. Sess.), § 16; amended 1981, No. 151 (Adj. Sess.), § 6; 1987, No. 97, § 5, eff. June 23, 1987; 1989, No. 44, § 3, eff. June 1, 1990; 1997, No. 60, § 4, eff. July 1, 1998; 1997, No. 71 (Adj. Sess.), § 82, eff. March 11, 1998; No. 138 (Adj. Sess.), § 4, eff. April 27, 1998; 1999, No. 113 (Adj. Sess.), § 1b; No. 120 (Adj. Sess.), § 4; 2001, No. 8, § 2; 2003, No. 68, § 46, eff. June 18, 2003; 2005, No. 54, § 1; 2007, No. 154 (Adj. Sess.), § 7.)

<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=16&chapter=003&Section=00165>

Appendix D: What is Root Cause Analysis (RCA)?

Root Cause Analysis is a class of problem solving methods aimed at identifying the root cause of problems or events. The practice of RCA is based on the belief that problems are best solved by attempting to correct or eliminate root causes as opposed to merely addressing the immediately obvious symptoms.

Root Cause Analysis has been in use in the business world to solve problems in:

- Safety based RCA in occupational safety and health
- Production based RCA in quality control in manufacturing
- Failure based RCA is used in failure analysis in engineering and maintenance
- Systems based RCA has emerged as an amalgamation of the preceding schools, along with ideas taken from fields such as change management, risk management and systems analysis.

Principles of Root Cause Analysis

- Aims performance improvement measures at root causes which are more effective than treating the symptoms or factors that may contribute to a problem.
- To be performed effectively, RCA must be performed systematically with conclusions that are backed by documented evidence.
- There is usually more than one root cause for any given problem.
- To be effective the analysis must establish all known causal relationships between the root cause(s) and the defined problem.

Why use Root Cause Analysis for schools in need of improvement?

Many schools conduct their programs without formal data analysis but rather on “gut feelings” about what is working and what isn’t. Many are trying to be optimistic, hoping they are doing things right. Often they do not have a sense of whether their program is working well. Data analysis has been a high priority in the NCLB era, yet many school-based educators lack the training and time to carry out more complex analyses. Many fear data with good cause as it has been used to scrutinize their work in the past. Research in RCA points out the state of the culture of a group is critical to their ability to do deeper levels of analysis like RCA. A supportive and empowered organizational culture in a school provides a good foundation for taking responsibility for failure and success, as well as supporting an environment where all key stakeholders will take risks and work as a team to create more effective and creative solutions to their complex problems. Schools that have had a lack of student achievement for several years will more than likely need to address school culture issues through some form of team building activity before they can let go of the past and move forward with a fresh new approach (See Asking the Right Questions Edie Holcomb, Corwin Press, 2001).

Process of Root Cause Analysis

The first step in this process is to identify your priority concerns based on data. You should have at least two sources of data to identify each concern. In order for all involved to understand how to lead their group, it is suggested that a facilitator model the root cause process using the Attendance example or one from your own data. Then you can divide your school team into focus groups based on your priority concerns. Then each group would require a facilitator to fill out the fishbone based on each focus groups input of factors and causes.

How to Use a fishbone diagram to do Root Cause Analysis

1. Be sure to list all factors and suggested causes related to the problem
2. Label each one either “S” student or “A” for adult, based on whether the factor is based on student or adult action (or lack of action)
3. Cross out all the “S” factors
4. Label each one “I” for In Our Control or “O” for Out of Our Control
5. Cross out all the “O” factors
6. Double check to be sure that the factors left have **at least two sources of data** to back them up. Be aware that the data may tell you a different story than what you had thought and also, that you may find data that create another factor to add to your fishbone
7. Use the Enhanced 5 Whys Questions to determine if each of the remaining factors are root causes

The Enhanced Five Whys to Root Cause Analysis

Take each remaining factor and ask *The Enhanced Five Why* questions to be sure you have found the root cause. If a question cannot be answered completely, then that factor is NOT the root cause, so it needs to be removed.

1. What proof do I have that this cause exists? (Is it concrete? Is it measurable?)
2. What proof do I have that this cause could lead to the stated effect? (Am I merely asserting causation?)
3. What proof do I have that this cause actually contributed to the problem I’m looking at? (Even given that it exists and could lead to this problem, how do I know it wasn’t actually something else?)
4. Is anything else needed, along with this cause, for the stated effect to occur? (Is it self-sufficient? Is something needed to help it along?)
5. Can anything else, besides this cause, lead to the stated effect? (Are there alternative explanations that fit better? What other risks are there?)

Make sure that in identifying solutions that what you select has: research that it will work for your population of students, helps you to meet your goals and objectives, and does not cause you other problems.