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Lessons for NCLB Implementation from State and District Strategies
in First-Generation Accountability Systems**

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CORRECTIVE ACTION IN LOW-PERFORMING SCHOOLS: LESSONS FOR NCLB IMPLEMENTATION FROM STATE AND DISTRICT STRATEGIES IN FIRST-GENERATION ACCOUNTABILITY SYSTEMS

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Abstract

This paper explores what lessons we can learn from the experiences of states that instituted NCLB-like accountability systems prior to 2001 (here called first-generation accountability systems). We looked at the experiences of three smaller states (Kentucky, Maryland, North Carolina), four larger ones (California, Florida, New York, Texas), and two large districts (Chicago and Philadelphia). We analyzed evaluative reports and policy documents as well as interviews with state officials and researchers. We condensed the material into seven "lessons": sanctions are not the fallback solution; no single strategy has been universally successful; staging should be handled with flexibility; a comprehensive bundle of strategies is key; relationship-building needs to complement powerful programs; competence reduces conflict; and strong state commitment is needed to create system capacity.

Introduction

According to NCLB, states are to create accountability systems by formulating standards, testing students regularly, defining a baseline, and setting a level of proficiency from 2001 performance levels. Schools are required to attain "adequate yearly progress" (AYP) towards proficiency. AYP can vary from year to year, but all schools need to have reached proficiency for 100 percent of their students by the school year 2013-14. Schools that lag behind are subject to an intervention process constructed in three stages: improvement, corrective action, and restructuring. When a school fails to make AYP two years in a row, it enters the improvement stage. Schools in this stage engage in a process of internal school renewal. They write a school improvement plan and implement effective programs, comprehensive school improvement models, and extended services. Districts are

required to provide assistance. A school can contract with third-party providers. Parents have the option to enroll their children in another school and upon the school's failure to make AYP in the first "improvement" year, parents have the right to enroll their children in tutoring services provided by the district or other organizations. If schools fail to make AYP yet another year, they enter the stage of corrective action during which district intervention intensifies. Among other measures, staff can be removed, curricula mandated, management authority revoked, and instructional time extended. Should a school linger and fail to make AYP yet one more year, major restructuring is to occur via reconstitution, state takeover, conversion into a charter, transfer to a private management company and other, similarly radical measures. Thus, a school that fails to improve for five consecutive years ceases to exist in its original form according to NCLB. Districts encounter a similar staged approach. When they fail to make district AYP for two consecutive years, they enter the improvement stage that primarily entails programmatic changes. After another two years of missing AYP, they are subject to corrective action that may severely curtail their authority.

This paper concentrates on the stage of corrective action and further restructuring. We summarize what lessons might be gleaned from first-generation accountability systems for this stage. Under NCLB, states and districts may soon face the burden of increasing numbers of schools that fail to improve under the softer touch of probation and school improvement. For some states, the NCLB three-stage approach to low-performing schools is novel, while for others state governments acted prior to federal legislation. Some jurisdictions identified quite a substantial number of low performing schools, and some states have moved on to more forceful interventions in schools and districts. Although most of these earlier first-generation high-stakes systems echo the structures of NCLB in its basic format, they differ widely in their repercussions for identified low performing schools and districts.[1] States implementing NCLB or aligning their existing accountability system to NCLB can learn from these variations. Insights from first-generation systems can help avoid less promising design features or suggest likely trajectories for certain system designs. [2]

The Research

We looked at three smaller states (Kentucky, Maryland, North Carolina) and four larger ones (California, Florida, New York, Texas). These seven states

constitute the main body of our research. We also looked at Chicago's and Philadelphia's approach to low-performing schools. We selected these systems for five reasons: they are first-generation systems that have spearheaded high-stakes accountability in the U.S.; have been in existence for some time; have figured prominently in the public discussion on high-stakes accountability prior to NCLB; have gained experiences with corrective action and school redesign; and are covered by some research material. Not all five criteria applied to all jurisdictions.

We asked the following research questions:

- What kinds of initiatives, programs, or policies were undertaken with regard to schools with persistently low test scores that failed the first stage of intervention?
- On what scale did these programs operate?
- What set of actors (teachers, school administrators, districts) were the recipients of interventions?
- How were pressures and sanctions used?
- What kind of capacity building was provided?
- What management structures did states or districts use for the provision of these services?
- What evidence of success do we have?
- What lessons could be gleaned from answers to these questions for states that are in the process of designing corrective action or school redesign programs?

Our data are studies, papers, reports, and information from web sites, and we relied on interviews and personal communication with officials to fill gaps. Although we now have reports on the impact of high-stakes testing on schools in several states, systematic evaluations of low-performing school programs are rare, and of corrective action initiatives even more so.[3] Our descriptive analysis cannot compensate for this lack. It is generally very difficult to determine the effectiveness of a given program, even more so the effectiveness of a particular design element. Many factors mediate the influence of a particular state or district policy on school performance, including the local context, the specific mixture of interventions, or the time allotted for improvement. It is even more difficult to assess the effectiveness of

a specific program relative to other differently structured programs without a common metric that would allow us to compare in a straightforward way.

Given these limitations, we cannot evaluate states' and districts' corrective action efforts, but we can do more than merely describe design features. We refrained from burdening the reader with too much descriptive information.[4] Rather, we concentrate on "Lessons Learned." We hope that our overview may help systematize and categorize the states' various strategies and their consequences. In this way, we hope to foster an informed discussion about corrective action and school redesign based on previous experiences.

Commonalities and Differences Across Systems

Across the states and districts, the following elements, in varied combinations, are most frequently associated with corrective action and school redesign:

- School improvement grants
- Professional development
- New instructional materials
- Programmatic prescriptions (e.g., pacing plans, structured reading and math programs)
- New or extension of existing services (e.g., summer school, extended day, after-school)
- On-site instructional specialists
- Evaluation or audits
- Intervention teams or individual change agent
- Bureaucratic pressure (e.g., reassignment of teachers, principals, external monitors, increased oversight)
- Market pressure (vouchers, school choice, student reassignment, magnet schools)
- School reorganization/ reconstitution
- Teacher recruitment incentives

- Teacher quality policies
- School construction and repair
- Change of governance and authority (special districts, educational management organizations, charters, school takeover, district takeover).

Although NCLB creates some uniformity in states' approaches to low performance by demanding adequate yearly progress towards a proficiency ceiling, the rigor of performance demands and intervention burdens differ across states. These differences influence the chances of persistently low-testing schools to improve and for corrective action and redesign to be successful. Some systems put high demands on schools by either testing student achievement with cognitively complex tests or by expecting growth that is set according to an ambitious performance ceiling. Others take a more moderated approach. They use, for example, basic skills tests that only challenge schools at the lower end of the spectrum, or they set flexible growth targets that are adjusted to the system's current real growth. Some systems only enter schools into the low performing schools program that are rock-bottom performers, others identify schools on various absolute performance levels that missed their growth targets. Programs differ on what kind of growth it takes for a school to exit the program and to shed the low performance label. Moreover, some accountability systems have implemented vigorous district accountability, others have not.[5]

These mechanisms produce low performing schools programs with different improvement challenges and on different scales. These differences also entail varying numbers of schools that have failed the first stage of school improvement and are in need of more forceful intervention. Programs with relatively high performance demands that identify large numbers of schools in the lowest performing category (for example Maryland, New York, or locally Philadelphia, Chicago) face a higher burden than programs with modest instructional demands that operate on a small scale (for example Texas).

Lessons Learned

Although we lack research or evaluation reports about schools under corrective action or redesign that warrant definitive claims as to the effectiveness of particular strategies or designs, we can nevertheless glean a number of lessons,

cautionary in nature, from the various states and districts we analyzed. These lessons are summarized as follows:

- Sanctions and increasing pressures are not the fallback solution.
- No single strategy has been universally successful.
- Staging should be handled with flexibility.
- A comprehensive bundle of strategies is key.
- Relationship-building needs to complement powerful programs.
- Competence reduces conflict.
- Strong state commitment is needed to create system capacity.

Sanctions and Increasing Pressures Are Not the Fallback Solution [6]

Pressure and the threat of more severe sanctions were a conspicuous feature of low-performing schools' programs when high-stakes accountability systems first came into existence in the 1990s. Schools could encounter relatively mild public stigma due to the negative performance label imposed on them, more intense scrutiny from review and evaluation teams, more administrative requirements, such as the writing of a school improvement plan, or more severe sanctions. Practically all of the sanctions suggested by NCLB have been on the books or been tried by the systems examined here, though each system's mix may differ from NCLB. In California, principals and teachers are threatened to be reassigned. Schools can be taken over by the state. They can be reorganized, closed, or assigned to the management of another educational or non-profit institution. Parents can select a different public school or apply for charter school status.[7] State takeover is the most severe sanction in the Maryland system.[8] Public hearings, appointment of a special on-site monitor or master, and eventual school closure are envisaged as sanctions by the Texas regulations.[9] Assignment of an instructional officer, external partner, removal of the principal, and school reconstitution (i.e., staff reassignment and reorganization) figure prominently in the Chicago system.[10] Redesign and closure are also primary sanctions in New York's Schools Under Registration Review (SURR) program.[11] Kentucky and North Carolina add penalties to this list that touch individual teachers more severely.[12] Teachers in low performing schools are

evaluated and can be required to take a general knowledge competency test in North Carolina; in Kentucky, as well, they could be evaluated with the possibility of transfer, demotion, or dismissal.[13]

But these sanctions were very rarely imposed and their centrality faded over time. Kentucky is a good example. The original language used to categorize schools as “in decline” and “in crisis” was replaced by schools “in need of assistance.”[14] Only the lowest-performing schools (30 out of the 90 schools “in need of assistance” in 2001) were required to accept assistance. The other 60 had the option to participate. The state-appointed “Distinguished Educators,” who initially combined technical assistance and probation management in their role, were renamed “Highly Skilled Educators” and shed their evaluative function.[15] Actual imposition of final sanctions is a negligible feature in Kentucky.[16]

In Texas, more severe sanctions akin to the level of corrective action were used very sparingly.[17] In 2002, there were seven schools under the supervision of a monitor who has little authority, and two schools under the supervision of a master who has authority over the local district.[18] The state has reconstituted only a handful of schools.[19] Texas primarily relies on the threat of bad publicity to motivate districts and schools to improve performance.[20] Likewise in Maryland, after five years of high-stakes accountability, the state finally took over four schools and assigned them to private management organizations.[21]

In New York and Chicago, more severe sanctions played a greater role. Within New York’s SURR program, affecting primarily New York City, some 35 schools have been closed since the inception of the program.[22] In Chicago, 7 high schools were reconstituted in the 1997/98 school year, but this has not been repeated.[23] Moreover, school principals are now receiving training and support from an “area instructional officer” making the original “probation manager” superfluous.[24]

When the present California accountability system was designed, the turn from pressure to support that earlier accountability systems seem to have undergone was evident. The California program already began with the voluntary participation of qualifying schools, though in actuality most schools were ‘volunteered’ by their districts.[25] Schools selected into the program accepted increased scrutiny and accountability from the state in return for funds usable for capacity building at the site.[26] Although large proportions of eligible schools that chose not to apply were left out, those that did enroll pinned their hopes for improvement on additional

support. The threat of further sanctions was a mere background feature of the program, according to O'Day and Bitter as well as data collection by the author.[27] When fewer schools than envisioned met their growth targets, the state refrained from building up pressure. It readjusted growth expectations and added additional intervention layers preceding more severe sanctions. Out of the first cohort of 430 schools accepted into the program, the state identified 24 schools that required this additional intermediate intervention.[28]

Why this turn from pressure to support? Some suspect that states shrink from the responsibility and political costs that the heavy hand of sanctions entails.[29] This is one plausible explanation, but other research suggests that, political costs notwithstanding, the pressure strategy is a double-edged sword and not as promising as perhaps originally perceived.[30]

Thus, all accountability systems use mild pressure as a means to motivate educators to improve performance, but the use of more severe sanctions is de-emphasized. In their majority, first generation states have either rarely used or turned away from high pressure as a main lever to motivate teachers. Under NCLB, schools may face severe sanctions in a rather short time, and voluntary participation is excluded as an option. If experiences of the first-generation accountability systems are any indication, states are advised not to rely on the power of pressures and sanctions to get the job done. Rather, states need to construct powerful low performing school programs that make corrective action and school redesign an uncommon occurrence. Such programs place heavy emphasis on support and intervention, bolster the commitment of teachers to low-performing schools, and strongly motivate educators. Such accountability systems set goals that are deemed realistic, use assessments that are educationally meaningful (i.e., deemed valid and fair), facilitate school evaluations that allow schools to see their contribution to the performance problem, offer suggestions on how schools can improve, and identify those barriers of performance that district and state policies are called to remedy.[31]

No Single Strategy Has Been Universally Successful

A number of strategies have been tried for corrective action and school redesign, but evidence shows that their effect is far from conclusive.[32]

Reconstitution. In California, previously locally reconstituted schools in the city of San Francisco showed up again on the state's low-performing schools list and one

is actually slated for corrective action again (author's analysis). In Maryland, some local reconstitutions actually exacerbated schools' capacity problems, reduced schools' social stability, and did not lead to the hoped for improvements, although a number of schools also benefited from the fresh start.[33] Results from Chicago's reconstitutions were inconclusive as well.[34] Fundamentally, staff replacements were not necessarily of higher quality than the original teaching staff, and in many schools teacher morale plummeted.[35] In New York's SURR program, corrective action and redesign were used more vigorously. Almost 50 schools were reconstituted.[36] More than a tenth of the schools were closed.[37] Some schools benefited, yet only about half (153) of the SURR schools have exited the program successfully so far.[38]

Educational management organizations. Maryland took over four schools from the Baltimore City school district and passed them on to two educational management organizations (EMO).[39] Under one of the EMOs, only one of its three schools has seen consistent gains, one has performed unevenly, and one is not improving.[40] In Philadelphia, we have higher numbers of schools that were taken over. One fourth of all district schools were taken over, with 45 managed by different EMOs and 25 by the district's newly created Office of Restructured Schools. Here, each provider offers different models of intervention.[41] Preliminary data suggest that the quality and content of the interventions may differ substantially and that the schools managed by the district's own Office of Restructured Schools may be at least as successful as schools managed by EMOs.[42] Takeover by EMOs coincided with soaring resignations and teacher turnover in affected schools.[43] It also resulted in miscommunication and in some cases overwhelm by principals who felt like they were "serving two masters"—the EMO and the central office.[44] Thus, takeover by management companies has helped in some cases, but is not universally positive.[45]

A recent multi-state study by the Brown Center at the Brookings Institution finds that schools taken over by EMOs (and run as charter schools) tend to score much lower than their district-administered counterparts, but outscore regular public schools on test score gains.[46] The authors suggest that EMO charters' low test scores are explained by the fact that EMOs tend to take over the lowest performing schools, but the data are not conclusive on this point.

External partners. This feature was widely used in Chicago where each school on probation (i.e., still in the improvement stage) was assigned an external

partner[47]. Originally, external partners developed their own models of intervention, but disparities in the quality of services concerned the district.[48] In time, the district came to place stronger emphasis on reading, forcing external partners to adapt their work in the schools to meet these literacy goals. Analysts stated that some partners added superficial reading strategies to their intervention. [49] This compromised their original model and made them less effective.[50] On the other hand, in reconstituted schools (i.e., those undergoing corrective action) about half of the teaching force found their external partner useful in formulating a shared vision and offering new techniques and strategies after having worked with them for a number of years.[51] But an inherent problem in external partner (as well as diverse provider) models is the lack of focus on state or district goals and the uneven quality of provided consultant services.[52]

Charters. While the research base on charter schools is expanding, little is known about charter school conversion as a means of corrective action and school redesign.[53] Available data seem to suggest that converting district-administered schools into charter schools has had uneven results. A multi-state study by the Brown Center on American Education shows that generally charter schools lag behind, or are similar to, regular public schools in absolute performance and gains from year to year.[54] Charter schools also tend to show up on states' lists of failing schools in larger proportions than regular public schools. An exception is schools that are converted from district-administered status to charter status. In the Brown Center study, conversion charters scored more highly than their public school counterparts and start-up charters. The authors point out, however, that conversion charters tend not to be corrective action schools, but schools that are let go by their districts as a form of reward for solid performance,[55] although solid data on this point are missing. Early anecdotal evidence from Philadelphia suggests that charter school conversion without the benefit of an external provider model may be the least successful conversion of the ones tried there.[56]

District takeovers. State takeovers of entire districts have also produced uneven outcomes. Financial management is often cited as the most promising area for potential success by states.[57] For example, in Newark, New Jersey, the state reorganized the district and reallocated $26 million geared toward instruction.[58] When the state stepped into Chicago Public Schools, an anticipated $4 billion deficit was eliminated.[59] However, equally dramatic *academic* success has been much harder to achieve.[60] Academic gains have been mixed at best, most often occurring only

after multiple years of intervention.[61] Takeovers in Logan County, West Virginia; Compton, California; and Chicago, Illinois, are heralded as exceptions that yielded some positive academic gains.[62]

In a survey of takeover experiences, Garland details the early lessons about this last resort for low-performing districts: more effective takeovers focus on areas that the state has the capacity to influence, such as financial management, eliminating nepotism, or facilities improvement; attending to the political elements of takeovers through collaboration, negotiation, and local alliances can minimize conflict and resistance; and additional funding, coupled with comprehensive capacity building efforts for both teachers and administrators, can yield more positive results.[63] Nevertheless, he cautions state actors to avoid authoritarian approaches to takeovers and to be mindful of the powerful racial, legal, and political issues that typically accompany these measures.[64]

Former Compton and current Oakland, California, state administrator, Dr. Randolph Ward, advocates a comprehensive approach to improving the academic and financial conditions of schools or districts "in crisis" based on lessons learned during his tenure.[65] These strategies include: developing innovative initiatives for aggressive teacher recruitment and development programs; implementing safety net programs like Reading Recovery; creating motivational attendance programs; organizing accelerated learning programs like full-day kindergarten; providing an extended school year; and aligning curriculum with standards-based testing requirements.[66]

Vouchers. Probably the best known example of vouchers attached to low-performance is the state of Florida where students in schools that repeatedly receive an F for their performance can attend private schools on a state voucher. The effectiveness of this intervention is debated. Greene evaluated Florida's A+ program and found that low performing schools improve more when they face a challenge from vouchers.[67] However, that research has been criticized on methodological grounds.[68] Thus, at present we do not have sufficient evidence on vouchers as a corrective action strategy.

Intervention teams. These are teams that enter schools as authoritative interveners. They are charged to evaluate schools, prescribe remedies, and help with implementation. In North Carolina, these teams are said to be rather successful, in California they have worked with mixed success, encountering much resistance at

the school level.[69] The two states differ with regard to both operational principles and context. The North Carolina teams are recruited by the state from the ranks of seasoned practitioners and closely work with schools on an almost daily basis.[70] As teachers in North Carolina cannot engage in collective bargaining, teacher unions are less of a force.[71] In California, the teams are either third-party providers or county offices of education that traditionally were not involved in the day-to-day affairs of regular district schools.[72] They are required to be at the schools a minimum of only three times per year.[73] Their initial intervention is tightly circumscribed and, according to interviews with providers, tends to eschew instruction.[74] Unions play an important role in California schools and guard teachers' professional territory.[75]

In summary, a variety of corrective action strategies have been tried by the examined systems, but none stick out as universally effective or adequately robust to overcome the power of local context. Competence of provider personnel, intervention designs, political power of actors in the system, and district and site organizational capacity to absorb the strategies all strongly influence how a particular strategy will turn out.

Staging Should be Handled with Flexibility

Although NCLB lays out a straightforward three-stage approach, with corrective action and school redesign being the second or third steps, respectively, schools that are persistently unable to meet AYP are not virgin reform territory for the most part. Many persistently low-performing schools are not stable in their stagnation, but volatile and continuously reconstituting in an unplanned way. Teacher and administrator turnover is often high, external consultants plentiful and ever changing, and district intervention intensified.[76] In all likelihood, many low-performing schools, unable to meet federal AYP, will have previously been subjected to substantial local reform measures. Districts that anticipate state action and carry out local school restructuring often move principals and staff, conduct inspections, and mandate programs before a school appears on the state or federal radar screen. When that happens, schools may have to repeat improvement stages or cycles once they enter federal or state corrective action.

Moreover, a comparison of state systems shows how blurred the lines between the stages are in practice. In North Carolina, Kentucky or Florida, the first stage of intervention is already so intense that it could classify as "corrective action."[77] By

contrast, California's persistently low-testing schools do not even encounter this kind of intensity in the second stage of intervention when they are visited by a state assistance and intervention team.[78] Kentucky and North Carolina do not seem to carry out a significantly different corrective action stage. Maryland apparently moved schools from the first stage of local improvement directly into the third stage of takeover and governance change.[79] Something similar has happened in Philadelphia where a fairly large number of the lowest performing schools will make their journey through the NCLB stages as already redesigned schools.[80] As was pointed out above, charter schools tend to show up on states' failing schools lists in larger proportions than regular public schools. For these schools as well, fundamental redesign happened before school improvement intervention.

In other words, rather than being distinct stages of intervention intensity, NCLB interventions will increasingly look like a déjà vu to affected schools unless states design intervention approaches that are truly different from "all the other things" a school has already tried. Such approaches need to decrease turbulence, rather than add to it. Thus, instead of rigid staging, states and districts need flexibility in designing measures that are appropriate to the developmental needs of a given school, an approach that Texas seems to favor.[81]

A Comprehensive Bundle of Strategies Is Key

If there is one characteristic that stands out from systems that keep the number of low performing schools low and make a consistent difference in their lowest performing schools, it is comprehensiveness. For example, Florida uses a comprehensive approach to corrective action schools that includes professional development, instructional support, work on test preparation, help with assessment, extended school days, and parent in-services.[82] In Kentucky, intervention starts off with a comprehensive week-long scholastic audit (based on 9 standards and 88 indicators).[83] Highly Skilled Educators (HSEs) are assigned to schools and expected to be on-site at least 80% of the time during their two years at the school.[84] David et al. found that HSEs' activities are "remarkably similar across the sample schools."[85] They fall into the following categories: professional development, curriculum alignment, classroom instruction, test preparation, leadership, school organization and decision-making, and resource procurement. These categories are similar to those used in the Scholastic Audit.[86] North Carolina uses a similarly encompassing approach. When intervention teams enter the school, they evaluate all educators in

the school and can recommend dismissing anyone who does not improve at the end of the year.[87] Among other things, they conduct classroom observations, work closely with principals, conduct model lessons, and streamline budgets.[88] The schools are required to implement the team's corrective actions.[89] Team members participate in a 4-week training on data analysis, cultural diversity, curriculum alignment, teacher performance and evaluation, and team building.[90]

The Chancellor's District in New York City, emulated by other inner-city districts, was a similarly comprehensive approach to persistently low-testing schools, but added to the mix a supportive district structure that acted as a surrogate for schools' dysfunctional home district.[91] Intervention in the special district consisted of the following elements:[92]

- Reduced class size
- Extended school day and year
- After-school program
- Prescribed instructional program, schedule, and curriculum
- Professional development: A minimum of four on-site staff developers and a teacher specialist assigned to each school
- Student assessments
- Supervisory and instructional support
- Restaffing and replacement of most principals and many ineffective teachers
- More intense monitoring and mentoring
- Incentives for recruiting qualified teachers (e.g., signing bonuses).

Interviewed researchers and program administrators point to two factors that in their minds made a key difference: the special district removed a school from a failing district and put it in a very nurturing one, and a set of interventions and models of best practice were given to schools as a bundle, avoiding isolated quick fixes.[93] However, even with this intense intervention, preliminary data suggest that Chancellor's District schools achieved only moderate improvement in student performance; only half of the enrolled schools were removed from the state list of

low-performing schools; and one-fifth had to be closed.[94] Yet, overall fourth graders in the special district outperformed SURR schools, i.e., schools enrolled in the state's low-performing schools program.[95]

In summary, it appears that comprehensiveness is a key characteristic that makes interventions sufficiently different from "all the other things that schools have tried before" and that makes corrective action programs effective. Comprehensiveness includes interventions at the school and district levels. But even these comprehensive approaches cannot overcome some of the performance barriers that exist in the highest-need and lowest-capacity schools and districts.

Relationship-Building Needs To Complement Powerful Programs

Many low-performing schools are not attractive work places, and under current labor market conditions, low-performing schools are often staffed with lower-skilled teachers and large numbers of new, insufficiently trained teachers with low commitment to stay.[96] Principal turnover is high as well. Principals under pressure of accountability often act as conduits of pressure, making for unsupportive working relationships between teachers and administration.[97] Mintrop found that in schools improving in the low-performing schools program, principal leadership and faculty collegiality and cohesion, as well as trust in the skills of colleagues, were stronger.[98] Bryk and Schneider point to the importance of trust among administrators, teachers, and parents as a key resource for school improvement.[99] O'Day found that initial capacity was a key factor in explaining why some schools improved when targeted by low-performing schools programs and others did not.[100] Elementary schools with higher "peer collaboration, teacher-teacher trust, and collective responsibility for student learning" responded more favorably.[101] "Creation/renewal of teachers' commitment to the school" is one of the most salient issues a school needs to address, according to an English report that summarizes insights from inspection reports on 900 schools "under special measures," the English equivalent to schools under corrective action.[102]

Under corrective action, districts and states intervene deeply into the core of a school's operation, often mandating specific programs and prescribing specific operations that can be monitored fairly easily. Implementation of effective programs is desirable and especially necessary when schools are staffed with many insufficiently qualified teachers. Under the pressures of corrective action, however, such implementation raises the specter of compliance, managerial control, and

programmatic standardization as the main levers of school improvement. Following the lead of the above cited literature, implementation of powerful programs ought not come at the expense of developing professional norms of high expectations and trusting relationships. Such norms are not only necessary for teachers to collectively assume responsibility for student learning, but also important in fostering and maintaining teacher commitment to stay. Moreover, if the capacity of individuals to interact with and rely on each other is a key ingredient for schools to respond positively to performance challenges, then interventions that incorporate work on internal organizational norms and building trust may be a good way to improve on that front.

Governance changes—for example the installation of an EM—are often accompanied by heightened political conflict around new relationships of authority and may lead to a decline in social stability.[103] Redesigns have the potential of actually diminishing a school's social capacity.[104] Intervention strategies need to compensate for these negative consequences of social disruption. Thus, corrective action and redesign strategies need to create a balanced effect on instructional programs, educators' professional norms of performance, commitment to stay in the low-performing school, and trust among school actors. Such balance is apt to stabilize the low-performing school.

Competence Reduces Conflict

When schools enter the stage of corrective action, they are no longer able to heal themselves and improve solely based on their own internal strengths. Rather, they are in need of external change agents who can provide new tools, such as programs, coaching, advice, and facilitation. While in the first stage of school improvement, state pressure and the signaling of urgency may increase schools' motivation to marshal their own forces, in the corrective action stage pressure takes a back seat to capacity building. Something essential needs to be added to a school under corrective action that it previously lacked. We argued earlier that this "something" is not an isolated quick fix (e.g., a program, a governance change, a principal change, etc.), but a bundle of strategies that comprehensively integrates the technical and social layers of the organization.

To provide such a bundle of strategies with sufficient high quality requires the careful recruitment of highly skilled intervention personnel. This is a key challenge for all systems we examined. Supply of high quality personnel is a theme that runs

through many reports and interviews, regardless of the specific models or structures that are implemented.[105] In California, schools complained about a lack of powerful expertise on the part of the state's new school intervention teams.[106] In Philadelphia, the strength of district or EMO-based restructuring seems to rely on the ability of the entity in charge to recruit skillful and committed educators (principals, teachers, staff developers, instructional specialists, etc.) to the schools.[107] Where they fail to do so, or are not empowered to do so by regulations as in Philadelphia,[108] the effort falls flat irrespective of the specific governance structure.

The uneven service quality of third-party consultants in a number of systems was already mentioned. North Carolina and Kentucky recruit school practitioners with a track record of leadership in their schools and districts in order to insure proximity to the people that need to be reached by interventions.[109] It has been a challenge for Kentucky to find enough highly qualified candidates for the job of Highly Skilled Educator year after year, as previous cohorts return to their districts.[110] The shortage of educators with these skills is evident in the frequent complaint from districts that HSE's are sorely missed in the district's own operations.[111]

When external interveners enter schools without a strong base of competence, problems arise. Schools complain of serving two masters.[112] Traditional lines of authority are more likely to clash with new ones. For example, state-empowered external interveners, when new authority is not backed up and legitimized by new ideas, new capacities, or new services that promise to be a benefit to the school.[113] In other words, before states (or districts) decide to send new intervention teams, external partners, EMOs, etc. as authoritative executors of corrective action into persistently low-performing schools, they should be sure about the providers' potential to offer comprehensive services with competence. These services need to make a marked difference in schools that in many instances "have tried it all before."

Strong State Commitment Is Needed to Create System Capacity

Corrective action and school redesign cannot be done on the cheap. We know from first-generation accountability systems that merely mandating new programs, subjecting a school to "zero-based staffing" as in reconstitution, pairing it up with external consultants, or passing it on to new management will not be sufficient for those persistently low-performing schools that have high needs and low capacity to

begin with.[114] Successful states and districts show that highly competent personnel and comprehensive intervention capacity are not readily available and have to be developed over time. Particularly, corrective action in *district* administrations seems to be virgin territory for many states.

As NCLB implementation progresses through the stages of corrective action and school redesign, more schools and districts will have to be targeted and states' efforts need to grow. But recent fiscal problems in many states and districts make a vigorous state effort doubtful.[115] Comprehensive programs (for example New York's Chancellor's District, Kentucky's Highly Skilled Educators program) have seen cuts.[116] Some states have stopped expanding their programs or been retrenched (such as California).[117] Poorer states, such as Mississippi or Alabama, have been unable to pay for assistance to all of their highest-need schools, let alone pay for the development of a school improvement infrastructure that NCLB implementation will require.[118] The gap between what is federally required for successful corrective action and redesign and what states are able or willing to offer at this point is large in many instances. New ways of financing systems' capacity for providing comprehensive and highly competent interventions need to be found.

Conclusion

The seven lessons learned from first-generation accountability systems can be condensed into one final lesson for the implementation of NCLB. First-generation attempts have shown that the task of continuous school improvement requires a sophisticated school improvement infrastructure of high quality that comprehensively "moves on all fronts" that goes beyond incentives, sanctions, and even additional grants for capacity building. Yet, NCLB has magnified the challenge even further. The more stringent corrective action requirements of the law are likely to create larger intervention burdens for states than many of the previous systems examined in this paper.[119] The high-stakes features of the law have been called bold by supporters and draconian by detractors. But compared to the enormous challenges of the task, we conclude from our data on first-generation accountability systems that even the law's presumably rigorous corrective action features tinker on the margins. The corrective action incentives and sanctions no doubt can cause movement among responsible actors on all levels of the system. But if the law is implemented in the tradition of procedural compliance, it will produce much commotion and comparatively little improvement. The enormity of the task at hand

requires states, districts, and schools to go far beyond NCLB and proactively search for powerful, high quality and comprehensive ways of reform. Whether NCLB will be seen as a strategic opportunity in advancing on this front has probably less to do with federal intent and more with locally forged coalitions of responsible parties.

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