



# MODEL LEGISLATION FOR AN EQUITABLE, DEMOCRATIC SCHOOL TURNAROUND PROGRAM

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## **National Education Policy Center**

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# MODEL LEGISLATION FOR AN EQUITABLE, DEMOCRATIC SCHOOL TURNAROUND PROGRAM

*Tara Kini, Public Advocates*

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This report, a companion document to *Democratic School Turnarounds: Pursuing Equity and Learning from Evidence*, presents model state legislation to create a state-level school improvement grant program that fosters equitable, democratic, and sustainable school turnarounds in persistently low-performing schools. The proposed legislation is designed to create structures to promote meaningful community engagement in the school turnaround process and to support those turnaround efforts. It is also designed to lead to well-crafted, comprehensive turnaround plans that take into account the local school and community context and to provide a robust, democratically-created accountability system that leads to real and significant improvements for students in the state's lowest-performing schools. Although the proposed legislation is designed for state policy makers, it can also serve as a model for strengthening the federal School Improvement Grant program.

1 **A BILL FOR AN ACT**

2  
3  
4  
5 **AN ACT TO CREATE**  
6 **THE DEMOCRATIC SCHOOL TURNAROUND PROGRAM**  
7  
8

9  
10 *Be it enacted by the Legislature of the State of ABC that Title XXX is*  
11 *amended to include a new Article 123, which reads as follows:*  
12

13 **ARTICLE 123**  
14 **DEMOCRATIC SCHOOL TURNAROUND PROGRAM**  
15

16 **Section 100. Legislative Declarations and Findings.**

17 The Legislature finds and declares that:

- 18 (a) All public school students in the state are entitled to an education that  
19 prepares them to succeed in college and their careers, to participate  
20 meaningfully in our democracy, and to contribute positively to the future of  
21 our state.
- 22 (b) Throughout the state, many students have been provided with insufficient  
23 opportunities to obtain an education that prepares them for college, career,  
24 and civic engagement. In this Act, the schools enrolling these students are  
25 referred to as the state’s “persistently low-performing schools.”
- 26 (c) Dramatic actions and investments are needed to dramatically improve or to  
27 turn around the state’s persistently low-performing schools.
- 28 (d) The state’s most successful schools are built around a vision of student and  
29 school success that is broadly shared by all stakeholders in the local school  
30 community.

1 (e) Long-term improvements in school performance must be sustained by the  
2 local community. To turn around persistently low-performing schools, the  
3 local community must have the opportunity to develop a shared vision and a  
4 concrete school improvement plan designed to make that vision a reality.  
5 That community and its schools must also receive a substantial infusion of  
6 resources as necessary to carry out the turnaround plan. The entire school  
7 community can and should be then held accountable, based on multiple  
8 measures of school success, for meeting the goals that the community has set  
9 for itself.

10 (f) A democratic school turnaround process requires the engagement of a broad  
11 cross-section of the school community, including teachers, parents, and  
12 community organizations, in planning and implementing turnaround  
13 strategies that are tailored to each school and district context.

#### 14 15 **Section 101. Democratic School Turnaround Planning Grants.**

16 (a) It is the intent of the Legislature that the Democratic School Turnaround  
17 Program benefit the students attending the state’s persistently low-  
18 performing schools, beginning with the lowest-performing five percent of  
19 schools. By [DATE], the State Board of Education shall promulgate  
20 regulations for determining school performance, for defining the term  
21 “persistently low-performing school,” and for governing the eligibility of  
22 local educational agencies and schools for the Democratic School  
23 Turnaround Planning Grant Program. These regulations shall use multiple  
24 measures of school opportunities to learn and school outcomes.

25 (b) All “persistently low-performing schools” shall be eligible for a single  
26 Democratic School Turnaround Planning Grant in the amount of \$225,000.  
27 As a condition of receiving funds under this section, the school shall comply  
28 with the planning grant requirements pursuant to section 103 of this Article  
29 and, within twenty-four (24) months of receiving funds under this section,  
30 submit to the State Department of Education a School Improvement Plan  
31 pursuant to section 104 of this Article.

#### 32 33 **Section 102. Democratic School Turnaround Program Grants.**

34 (a) Any persistently low-performing school that has successfully exited the  
35 Democratic School Turnaround Planning Grant Program may apply for  
36 assistance under the Democratic School Turnaround Program.

37 (b) The State Department of Education shall use a peer review process to review  
38 applications for assistance under the Democratic School Turnaround

1 Program. The State Department of Education shall publish the selection  
2 criteria used to select peer reviewers as well as the selection criteria that  
3 peer reviewers use to evaluate applications.

4 (c) The State Department of Education shall award Democratic School  
5 Turnaround Program grants in a manner that, to the extent possible, ensures  
6 that the grants target schools in which high-need students are concentrated;  
7 represent a diverse distribution of grade levels; and are distributed  
8 throughout different geographic regions of the state.

9 (d) Local educational agencies shall receive Democratic School Turnaround  
10 Program funding on behalf of funded schools for up for five years. For years  
11 one through three, the rate shall be one thousand dollars (\$1,000) per  
12 enrolled pupil in funded schools per year. For years four and five, the rate  
13 shall be five hundred dollars (\$500) per enrolled pupil in funded schools per  
14 year.

15 (e) The State Department of Education or its designee shall at the completion of  
16 a funded school's third year of funding, and every year thereafter, make a  
17 determination as to whether the school has met or exceeded the  
18 accountability benchmarks set forth in the school's School Improvement  
19 Plan for that year. The determination shall be based upon a review of  
20 materials submitted by the school and local educational agency, as well as  
21 available state data.

22 (f) The State Department of Education shall terminate funding for any school  
23 that has not met at least eight (8) of its ten (10) accountability benchmarks  
24 for that year. A school that has had its funding terminated may appeal for  
25 reinstatement to the State Board of Education.

26  
27 **Section 103. Democratic School Turnaround Planning Grant**  
28 **Requirements.**

29 (a) Each local educational agency receiving a Democratic School Turnaround  
30 Planning Grant under this Article shall, for each school for which it has  
31 received a grant, do each of the following:

32 (1) Hold at least two accessible public hearings at the school site to  
33 discuss what it means to be an eligible persistently low-performing  
34 school and to describe the school improvement planning process  
35 required as a condition of receipt of funds under a Democratic School  
36 Turnaround Planning Grant, including the opportunities for family  
37 and community participation.

38 (2) Through a public process, establish a School Improvement Team  
39 which shall include, but is not limited to, the school principal, two

1 teachers from the school, two parents of students at the school, a  
2 community representative, a local educational agency staff member  
3 with expertise in school improvement, and—for high schools—a  
4 student in grade nine, ten or eleven at the school.

5 (A) During a planning period of not less than one full school year, the  
6 School Improvement Team shall, in regularly scheduled public  
7 meetings:

8 (i) Conduct a comprehensive assessment of the school’s capacity  
9 and needs, as well as factors outside of the school that  
10 influence student success. The assessment shall incorporate  
11 qualitative and quantitative indicators and openly describe  
12 how they were used.

13 (ii) Develop a shared vision for the school, set forth in a School  
14 Improvement Plan as required under section 104 of this  
15 Article. The Plan shall implement the shared vision and shall  
16 include, but not necessarily be limited to, tangible short-term  
17 changes and three- to five-year reform benchmarks. The  
18 shared vision and School Improvement Plan shall be informed  
19 by parent, student, teacher, and community input obtained  
20 through surveys, accessible public meetings, and other means.

21 (3) In collaboration with the School Improvement Team, publicly present  
22 at an accessible public hearing, and provide an opportunity for public  
23 comment on, the School Improvement Plan as well as the steps the  
24 local educational agency will take to support implementation of the  
25 School Improvement Plan.

26 (b) Each local educational agency receiving two or more Democratic School  
27 Turnaround Planning Grants shall establish a Democratic School  
28 Turnaround Advisory Committee which shall include, but not be limited to,  
29 representatives from each school site receiving a planning grant pursuant to  
30 this Article and local educational agency staff members with responsibility  
31 for implementing the Democratic School Turnaround Program. The purpose  
32 of the Democratic School Turnaround Advisory Committee shall be to  
33 facilitate the exchange of information among school sites as well as within  
34 the broader community on best practices and lessons learned during the  
35 school turnaround process.

36 (c) As used in this section, the term “accessible” means a public meeting that—

37 (1) is held during evening or weekend hours;

38 (2) provides two-way translation for participants who are not proficient  
39 in English, where fifteen percent or more of the students enrolled in  
40 the funded school speak a single primary language other than  
41 English;

42 (3) provides free child care; and

1 (4) is announced at least three days in advance using at least three  
2 methods of communication that are designed to reach a majority of  
3 the school community and to result in attendance by a substantial  
4 percentage of parents representing each major student subgroup at  
5 the school.  
6

7 **Section 104. School Improvement Plan Requirements.**

8 (a) Each School Improvement Plan shall include each of the following:

9 (1) A description of the School Improvement Team’s planning process,  
10 including steps taken to obtain stakeholder input, the extent and  
11 nature of that input, the results of the comprehensive assessment of  
12 the school’s capacity and needs, and a description of the school’s  
13 shared vision.

14 (2) Comprehensive strategies to improve teaching and learning  
15 including, but not limited to, each of the following:

16 (A) a plan, developed in collaboration with the local educational  
17 agency, to hire and retain staff at the school who are fully  
18 certified in the grade and subject matter they will teach and who  
19 have demonstrated their ability to effectively carry out their  
20 responsibilities under the School Improvement Plan;

21 (B) a plan to provide staff with ongoing, high-quality, job-embedded,  
22 and cumulative professional development that is designed in  
23 collaboration with school staff to provide them with the  
24 necessary knowledge and skills to implement the School  
25 Improvement Plan, including knowledge of the community in  
26 which in the school is located and the student population it  
27 serves as well as strategies for effective family engagement;

28 (C) a plan, developed in collaboration with the local educational  
29 agency, to support students and teachers and to promote the  
30 continuous use of student data to inform and differentiate  
31 instruction in order to meet the academic and other needs of  
32 individual students and to support the school in meeting the  
33 accountability benchmarks established in the School  
34 Improvement Plan;

35 (D) a plan, which may include scheduling changes and expanded  
36 learning time, to ensure that staff have adequate opportunities  
37 for the collaboration necessary to implement the School  
38 Improvement Plan, such as for common planning, grade-level or  
39 subject-area team meetings, professional development, peer  
40 observations, and reviews of student progress;



1 (E) a plan, developed in collaboration with the local educational  
2 agency and with a preference of mainstreamed and  
3 heterogeneous classroom environments, for identifying and  
4 providing additional supports to low-achieving students and to  
5 students with specialized needs, such as students with  
6 disabilities and English learners; and

7 (F) a plan to provide specific and ongoing opportunities for family  
8 involvement in their children’s education and the school as a  
9 whole, including steps the school will take to engage families  
10 representative of each major student subgroup and gather their  
11 input to inform ongoing decisions regarding the program,  
12 climate, and operations of the school.

13 (3) Comprehensive wrap-around supports for students, including, but  
14 not limited to,

15 (A) Mechanisms for meeting students’ social, emotional and health  
16 needs, which may include coordination of existing services as  
17 well as the development of new services based on student needs;

18 (B) Strategies to create safe school environments and improve school  
19 climate and discipline, such as implementing a system of  
20 positive behavioral supports, restorative justice, and taking  
21 additional steps to eliminate bullying and student harassment;  
22 and

23 (C) Partnerships with parents and parent organizations, faith- and  
24 community-based organizations, health clinics, State or local  
25 agencies, and others.

26 (4) A school-specific accountability system that shall—

27 (A) Include annual benchmarks for school improvement across ten  
28 (10) metrics, aligned to the school vision and informed by the  
29 school’s current context, for which the school will be held  
30 accountable over the next five years. These benchmarks shall  
31 include—

32 (i) the following common metrics that are available for every  
33 school in the state, disaggregated by race or ethnicity,  
34 free/reduced price lunch status, English learner status, and  
35 special education status:

36 a. for elementary and middle schools—

37 1. proficiency rates on statewide assessments in  
38 English/language arts, mathematics, science, and social  
39 studies aligned to the state’s academic content  
40 standards;

41 2. attendance rates;

- 1 3. suspension/expulsion rates;
- 2 4. reclassification rates for English learner students;
- 3 b. for high schools—
- 4 1. four-year adjusted cohort graduation rates, as defined
- 5 pursuant to 34 C.F.R. 200.19(b)(1);
- 6 2. proficiency rates on statewide assessments in
- 7 English/language arts, mathematics, science, and social
- 8 studies aligned to the state’s academic content
- 9 standards;
- 10 3. attendance rates;
- 11 4. suspension/expulsion rates;
- 12 5. reclassification rates for English learner students;
- 13 (ii) other metrics that may, but need not be, comparable across
- 14 schools in the state or in the local educational agency, such as
- 15 evidence of student learning as demonstrated through final
- 16 portfolios or project-based learning; evidence of student and
- 17 family engagement as demonstrated through a school climate
- 18 survey; percentage of graduates who have completed the
- 19 requirements necessary for admission to the state university
- 20 system; percentage of students enrolled in Advanced
- 21 Placement or International Baccalaureate classes and/or
- 22 passing those exams; movement of students out of classes that
- 23 are not college-preparatory; five-year graduation rates;
- 24 percentage of recent graduates enrolled in college or other
- 25 post-secondary training; and percentage of students who are
- 26 bilingual and biliterate.
- 27 (B) Assess data longitudinally to determine individual student and
- 28 school-wide improvement over time;
- 29 (C) Through an annual school opportunity report card, inform the
- 30 community about the resources available to staff and students in
- 31 helping them to meet the accountability benchmarks and
- 32 successfully turn around the school. The school opportunity
- 33 report card shall—
- 34 (i) Include, but not be limited to, school-level information and,
- 35 where available, information comparing the school to the
- 36 district and statewide average, in the following areas:
- 37 a. percentage of fully credentialed teachers;
- 38 b. average years of teacher experience;
- 39 c. teacher retention rate;
- 40 d. ratio of students per teacher;
- 41 e. ratio of students per counselor;

- 1 f. percentage of students in college preparatory classes in
- 2 mathematics, science, and English language arts;
- 3 g. number of Advanced Placement or International
- 4 Baccalaureate courses offered;
- 5 h. per pupil spending, based on actual salaries of personnel
- 6 assigned to the school;
- 7 i. progress toward meeting the accountability benchmarks
- 8 established pursuant to subsection (a)(4)(A) of section 104;
- 9 (ii) Be easy to read and understandable by students, parents, and
- 10 other community members. If fifteen percent or more of the
- 11 students enrolled in the funded school speak a single primary
- 12 language other than English, the school opportunity report
- 13 card shall, in addition to being written in English, be written
- 14 in the primary language.
- 15 (iii) Be widely distributed throughout the school community,
- 16 including on the school and local educational agency websites.
- 17 (D) Establish ongoing mechanisms that engage students, parents and
- 18 community members in the monitoring and accountability
- 19 process, and track and report data on such engagement.
- 20 (b) Each School Improvement Plan may include letters of support from relevant
- 21 stakeholders, including those who will play key partnership roles under the
- 22 plan, including, but not limited to, parent organizations, community-based
- 23 organizations, state or local agencies, and collective bargaining units.

24

25 **Section 105. Duties of the State Department of Education.**

26 The State Department of Education shall:

- 27 (a) Provide technical assistance to local educational agencies and schools
- 28 receiving funds under this Article and facilitate the exchange of best
- 29 practices and lessons learned in democratic school turnaround efforts.
- 30 Technical assistance provided shall include, but not be limited to,
  - 31 (1) Identification of models for effective community engagement;
  - 32 (2) Assistance in establishing and maintaining effective personnel
  - 33 management, recruitment, hiring, and retention processes; and
  - 34 (3) Maintenance of a publicly accessible state database of accountability
  - 35 benchmarks used by schools and/or local educational agencies,
  - 36 including information about the methods used by schools and local
  - 37 educational agencies to track these data.
- 38 (b) Establish the State Democratic School Turnaround Advisory Committee.

1 (1) The Advisory Committee shall include, but not be limited to, experts  
2 in educational reform, community engagement, assessment, and  
3 measurement, representatives from local educational agencies funded  
4 under this Article, and representatives from parent, student, teacher,  
5 and other stakeholder organizations.

6 (2) The Advisory Committee shall—

7 (A) By [DATE], develop and recommend to the State Board of  
8 Education for adoption, models and guidance for local  
9 educational agencies and schools on developing school-level  
10 annual accountability benchmarks and systems for tracking  
11 progress toward meeting these benchmarks; and

12 (B) Advise and make recommendations to the State Board of  
13 Education on policies and activities to assist the State  
14 Department of Education and local educational agencies in  
15 supporting funded schools.

16  
17 **Section 106. Evaluation.**

18 (a) By [DATE], the State Superintendent of Public Instruction shall contract for  
19 a multiyear independent evaluation of the Democratic School Turnaround  
20 Program that is established pursuant to this Article. The evaluation shall be  
21 based upon information gathered through—

22 (1) Surveys and focus groups of parents, teachers, principals, students,  
23 and community members in funded schools and of local educational  
24 agency staff in funded local educational agencies;

25 (2) Classroom observations to determine the program’s effect on the  
26 quality of teaching and learning;

27 (3) Data on the provision of key school and community resources and  
28 opportunities to learn;

29 (4) Information on the inclusion of the school community in the  
30 turnaround process;

31 (5) Student outcome data as defined in subsection (a)(4)(A) of section  
32 104 of this Article for each school site, disaggregated by race or  
33 ethnicity, free/reduced price lunch status, English learner status, and  
34 special education status;

35 (6) Case studies of individual schools; and

36 (7) Other relevant information as determined by the State  
37 Superintendent of Public Instruction or the independent evaluator.

1 (b) Evaluation reports shall include recommendations to improve democratic  
2 school turnaround efforts under this Article. The State Superintendent of  
3 Public Instruction shall ensure that these recommendations are  
4 disseminated to the State Democratic School Turnaround Advisory  
5 Committee and to each local educational agency Democratic School  
6 Turnaround Advisory Committee, which shall disseminate this information  
7 to School Improvement Teams.

8 (c) The independent evaluator shall report to the Governor, the State  
9 Superintendent of Public Instruction, the State Board of Education, and the  
10 chairs of the education policy committees in both houses of the Legislature  
11 annually by February 1, beginning February 1, [YEAR.]

12

13 **Section 107. Regulations.**

14 The State Board of Education is hereby directed to implement this Act through  
15 appropriate regulations.