

HB 176 Intervention Options

Comparison of the Restaffing and Transformation Options

| Required or Permissible Activities for One or Both Models | Restaffing Option | Transformation Option |
|--|--------------------|-----------------------|
| Principals: | | |
| <ul style="list-style-type: none"> • Replace principal with one trained in turning around low-achieving schools. | Required | Required |
| <ul style="list-style-type: none"> • Provide operational flexibility to new principal (including staffing, calendars, time, and budget) toward implementation of a comprehensive approach to substantially improve student achievement and graduation rates. | Required | Required |
| <ul style="list-style-type: none"> • Implement other strategies for providing operational flexibility and intensive support, such as— <ul style="list-style-type: none"> - Allowing the school to be run under a new governance arrangement, such as a turnaround division within the LEA or SEA; or - Implementing a per-pupil school- based budget formula that is weighted based on student needs. <p>(Note: Permissible items are set forth in federal SIG Final Requirements for the Transformation Option, but are also permitted under the Restaffing Option)</p> | Permissible | Permissible |
| Curriculum & Instruction | | |
| <ul style="list-style-type: none"> • Use data to identify and implement an instructional program that is research-based, vertically aligned, and aligned with state academic standards. | Required | Required |
| <ul style="list-style-type: none"> • Promote the continuous use of student data from formative, interim, and summative assessments to inform and differentiate instruction. | Required | Required |
| <ul style="list-style-type: none"> • An LEA may also implement comprehensive instructional reform strategies, such as— <ul style="list-style-type: none"> - Conducting periodic reviews to ensure that the curriculum is being implemented with fidelity, is having the intended impact on student achievement, and is modified if ineffective; | Permissible | Permissible |

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| Curriculum & Instruction (continued) | | |
| <ul style="list-style-type: none"> - Implementing a school wide “response-to-intervention” model; - Providing additional supports and professional development to teachers and principals in order to implement effective strategies to support students with disabilities in the least restrictive environment and to ensure that limited English proficient students acquire language skills to master academic content; - Using and integrating technology-based supports and interventions as part of the instructional program. <p>(Note: Permissible items are set forth in federal SIG Final Requirements for the Transformation Option, but are also permitted under the Restaffing Option)</p> | Permissible | Permissible |
| <ul style="list-style-type: none"> • An LEA may also implement comprehensive instructional reform strategies, such as, in secondary schools— <ul style="list-style-type: none"> - Increasing rigor by offering opportunities for students to enroll in advanced coursework (such as Advanced Placement; International Baccalaureate; or science, technology, engineering, and mathematics courses, especially those that incorporate rigorous and relevant project-, inquiry-, or design-based contextual learning opportunities), early-college high schools, dual enrollment programs, or thematic learning academies that prepare students for college and careers, including by providing appropriate supports designed to ensure that low achieving students can take advantage of these programs and coursework; - Improving student transition from middle to high school through summer transition programs or freshman academies; | Permissible | Permissible |

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| Curriculum & Instruction (continued) | | |
| <ul style="list-style-type: none"> - Increasing graduation rates through, for example, credit-recovery programs, re-engagement strategies, smaller learning communities, competency-based instruction and performance-based assessments, and acceleration of basic reading and mathematics skills; or - Establishing early-warning systems to identify students who may be at risk of failing to achieve to high standards or graduate. <p>(Note: Permissible items are set forth in federal SIG Final Requirements for the Transformation Option, but are also permitted under the Restaffing Option)</p> | Permissible | Permissible |
| Schools -with District & KDE Support: | | |
| <ul style="list-style-type: none"> • Based on audit recommendation and action by Commissioner of Education: <ul style="list-style-type: none"> - Allow existing school council to retain authority; - Transfer authority of school council to the superintendent or commissioner; - Allow school council to serve in an advisory capacity; or - Replace members of the school council with individuals. | Required | Required |
| <ul style="list-style-type: none"> • Implement new governance structure to include quarterly progress reports to the local board and KDE. | Required | Required |
| <ul style="list-style-type: none"> • Require school participation in ongoing, intensive technical assistance and related support from the district and KDE. | Required | Required |
| <ul style="list-style-type: none"> • Provide social, emotional, and community-oriented services and supports. | Required | Not required |
| <ul style="list-style-type: none"> • Provide ongoing mechanisms for family and community engagement. | Not required | Required |
| <ul style="list-style-type: none"> • Establish schedules and implement strategies to provide increased learning time. | Required | Required |

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| Schools -with District & KDE Support (continued): | | |
| <ul style="list-style-type: none"> • An LEA may also implement other strategies that extend learning time and create community-oriented schools, such as— <ul style="list-style-type: none"> - Partnering with parents and parent organizations, faith- and community-based organizations, health clinics, other State or local agencies, and others to create safe school environments that meet students’ social, emotional, and health needs; - Extending or restructuring the school day so as to add time for such strategies as advisory periods that build relationships between students, faculty, and other school staff; - Implementing approaches to improve school climate and discipline, such as implementing a system of positive behavioral supports or taking steps to eliminate bullying and student harassment; or - Expanding the school program to offer full-day kindergarten or prekindergarten. <p>(Note: Permissible items are set forth in federal SIG Final Requirements for the Transformation Option, but are also permitted under the Restaffing Option)</p> | Permissible | Permissible |
| Professional Development | | |
| <ul style="list-style-type: none"> • Provide staff ongoing, high quality, job-embedded professional development (e.g., regarding subject-specific pedagogy, instruction that reflects a deeper understanding of the community served by the school, or differentiated instruction) that is aligned with the school’s comprehensive instructional program and designed with school staff to ensure they are equipped to facilitate effective teaching and learning and have the capacity to successfully implement school reform strategies. | Not required | Required |

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| Professional Development (continued) | | |
| <ul style="list-style-type: none"> • Provide ongoing, high-quality, job-embedded professional development aligned with the school’s comprehensive instructional program. | Required | Required |
| Teachers – Evaluation and Compensation: | | |
| <ul style="list-style-type: none"> • Use locally adopted standards to measure effectiveness of staff to work within a turnaround environment to meet the need of students. | Required | Not required |
| <ul style="list-style-type: none"> • Retain no more than 50% of current employees in a school based on revised evaluation. Federal guidance permits a school district to count staff hired within the last two years as part of a school reform effort in determining the number of additional staff that would have to be replaced. | Required | Not required |
| <ul style="list-style-type: none"> • Use rigorous, transparent and equitable evaluation systems for teachers and principals that: <ul style="list-style-type: none"> - Take into account student growth as a significant factor; - Include other factors such as multiple observation-based performance assessments and ongoing collections of professional practice reflective of student achievement and increased high school graduation rates; and - Are designed with teachers and the principal’s involvement. | Not required | Required |
| <ul style="list-style-type: none"> • Kentucky Administrative Regulation: <ul style="list-style-type: none"> - Provide additional leadership and compensation opportunities to school leaders, teachers, and staff who have increased student achievement and high school graduation rates (if applicable). | Not required | Required |

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| Teachers – Evaluation and Compensation (continued): | | |
| <ul style="list-style-type: none"> • Federal SIG Final Rule: <ul style="list-style-type: none"> - Identify and reward school leaders, teachers, and other staff who, in implementing this model, have increased student achievement and high school graduation rates. - Implement such strategies as financial incentives, increased opportunities for promotion and career growth, and more flexible work conditions that are designed to recruit, place, and retain staff with the skills necessary to meet the needs of the students in a transformation school. • The “Transformation Toolkit” from the Center on Innovation & Improvement sets forth recommended Action Items under Rewarding Staff, including: <ul style="list-style-type: none"> - Create a system for making awards that is transparent and fair; - Work with teachers and teachers’ union at each stage of development and implementation; - Secure sufficient funding for long-term program sustainability; - Provide performance-based incentives using valid data on whether performance indicators have been met. | Not required | Required |
| <ul style="list-style-type: none"> • An LEA may also implement other strategies to develop teachers’ and school leaders’ effectiveness, such as— <ul style="list-style-type: none"> - Providing additional compensation to attract and retain staff with the skills necessary to meet the needs of the students in a transformation school; - Changes in instructional practices resulting from professional development; or - Ensuring that the school is not required to accept a teacher without the mutual consent of the teacher and principal, regardless of the teacher’s seniority. | Permissible | Permissible |

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| Teachers - Removal: | | |
| <ul style="list-style-type: none"> • Identify and remove those who, after ample opportunities have been provided to improve their professional practice, have not done so. <p>The “Transformation Toolkit” from the Center on Innovation & Improvement recommends the following Action Items for Removing Staff:</p> <ul style="list-style-type: none"> - Create a system for making awards that is transparent and fair; - Create several exit points for employees (e.g., voluntary departure of those unwilling, unable to meet new goals, address identified problems); - Set clear goals and measures for employees’ performance that reflect the established evaluation system and provide targeted training or assistance for an employee receiving an unsatisfactory evaluation or warning; - Reform tenure protections, seniority rights, and other job protections to enable quick performance-based dismissals; - Negotiate expedited processes for performance-based dismissals in transformation schools; - Form teams of specialists who are familiar with the rules and regulations that govern staff dismissals; - Make teams available to help principals as they deal with underperforming employees to minimize principal’s time spent dismissing low performers; Facilitate swift exits to minimize further damage caused by underperforming employees. | Not required | Required |

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External Management Option and School Closure Option

| External Management Option |
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| <ul style="list-style-type: none">• Choose an Education Management Organization (EMO) from a list approved by the Kentucky Board of Education. |
| <ul style="list-style-type: none">• Contract with EMO to provide day-to-day management of the school. |
| <ul style="list-style-type: none">• Provide quarterly progress reports to the local board of education and the Kentucky Department of Education. |
| <ul style="list-style-type: none">• EMO has the authority to make personnel decisions that comply with KRS Chapter 161 and employee-employer bargained contracts. |
| <ul style="list-style-type: none">• The Kentucky Board of Education has approved one EMO to date, Alvarez & Marsal, a prominent business and government consulting firm with a focus on organizational turnarounds through cost savings and improving efficiency. Their entry into providing education services is relatively recent. Their education record, in New York City, St. Louis, New Orleans, and the Virgin Islands, has been controversial. Based on news reports and opinion pieces:<ul style="list-style-type: none">- In New York, high costs were questioned based on limited results.- In the Virgin Islands, an audit by USDOE found the firm did not provide the services set forth in a high cost contract.- Alvarez & Marsal have been active in St. Louis and New Orleans, both districts in crisis. Proponents suggest that they brought needed efficiencies and fiscal discipline to dysfunctional districts. Critics have argued that their impact has been dramatic and disruptive, using strategies including outsourcing, layoffs, and school closures, rather than implementing meaningful and sustainable reform focused on improving instruction and learning. |
| School Closure Option |
| <ul style="list-style-type: none">• Develop a plan for the closure of the school. The plan shall include:<ul style="list-style-type: none">- A process for transferring students to higher performing schools that are meeting their accountability measures;- A determination by the local board of education regarding of staff assignments, which may include reassignment to available positions in the district, nonrenewal of contracts, dismissal, demotion, or a combination of these actions;- A determination by the local board of education regarding the use of schools facilities and other assets;- A method of monitoring the progress of students in their new school environment; and- A quarterly progress report to the local board of education and the Kentucky Department of Education. |

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