



# POLICY BRIEF

Educational Policy Information Center (EPIC)

at the David C. Anchin Center for the Advancement of Teaching

## EQUITY, EFFECTIVENESS AND CONTROL:

The Every Student Succeeds Act  
and State Approaches to  
Governing School Turnaround

BRIEF DEVELOPED BY:

Adam C. Rea, Ph.D. and William R. Black, Ph.D.



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Over the last few decades, state legislative and executive branches, as well as state departments of education have taken increasingly active roles in governing local school districts by creating policies to measure and define school performance. Many efforts have involved the development and implementation of policies that define schools that need improvement or need be “turnaround”. On December 10, 2015 President Obama signed the Every Student Succeeds Act (ESSA), which called on states to continue their work of identifying and offering remedies for struggling schools. However, ESSA offered greater flexibility in approaches than its 2001 predecessor No Child Left Behind (NCLB).

To understand state approaches to governing school turnaround, we conducted a content analysis of the accepted 52 plans (50 states plus Washington D.C and Puerto Rico, which have their own boards of education). We focused on content related to three intervention categories as defined by ESSA (2015): Targeted Support and Interventions (TSI), Comprehensive Support and Interventions (CSI) and More Rigorous Interventions (MRI). We then studied secondary sources that analyzed and categorized the approved plans. We finally created our own data table with 25 categories of data after using our own inductive analysis combined with secondary sources to create a framework to categorize state approaches to governing school turnaround. We studied 52 state plans submitted and approved under ESSA.

We discovered that states utilized diverse methods for the three low performing school categorized demarcated by ESSA: TSI-Targeted Support and Intervention; CSI-Comprehensive Support and Intervention; and MRI-More Rigorous Intervention. While ESSA was designed to provide greater flexibility to states, and state-level and contextually sensitive flexibility is desirable, our analysis reveals a significant and wide variation in categorical definitions and identification of turnaround schools. The states in which schools are located has a significant impact and whether and how schools are supported and sanctioned under ESSA.

## FINDINGS

Our findings suggest that states’ intervention approaches to entrance and exit determinations including monitoring, support, and state and district corrective actions varied considerably, yet contain noticeable patterns. Many states included broad language about TSI, CSI, and MRI, including entrance and exit requirements. Others were very specific about criteria, including ramifications of failure to improve in various lengths of time.

By analyzing content in the state ESSA plans, we captured states approaches to decision-making authority and responsibility. As we returned iteratively to the language in our spreadsheet, we could see a clearly distinguishable continuum of regulatory or directive language versus local control or “consultative language” in the MRI sections of the state ESSA plans, with varying degrees of flexibility inlaid. Sample language is presented in Table 1.

## REGULATORY VERSUS LOCAL CONTROL LANGUAGE



### Regulatory Language

- “The district **must**”
- “The state/board **must**”
- “The school **must**”
- “**Will** require”



### Local Control Language

- “The district **may**”
- “The state/board **may**”
- “The school **may**”
- “**May** require”



### Sanctions

- “Will **engage** with [SEA, EO]”
- “**Closure/removal of**”



### Supports

- “Will **receive** [support, funding]”
- “**Holds a hearing/creates a new plan**”

In particular, language surrounding consequences related to “exit failure” played a central role in categorization. A prevalent distinction related to intervention entrance and exit in state plans involved language of “may” versus “must” or “will be required to.” TSI strategies in the various ESSA plans have common features that either tend toward support or a more sanction-explicit approach.

We created a framework to Governing School turnaround that reflect three primary state approaches to turnaround schools: Local Control, Mixed, and Regulatory.

### LOCAL CONTROL

Local control states tend to offer opaque or nondescript language to describe state intervention and monitoring procedures. New Hampshire’s constitution, for example, actually prohibits the state DoE from interfering in many aspects of local school governance, stating so explicitly in their approved ESSA submission. Montana schools identified CSI schools as ones in need of comprehensive support in which the state would work partnership with the Local Education Agency (LEA) with the idea of targeted improvement in mind. However, their ESSA’s plans description of MRI actions is just two paragraphs long and offers little in the way of specifics.

### MIXED

Mixed states tend to list significant and often punitive outcomes for schools that fail to leave CSI status, but precede the various consequences with “may” language rather than “must.” This allows state education agencies and LEAs more leeway in making choices. Some choices are determined at state, others at local levels. Arkansas, for example, insists that states failing to exit CSI status after four years (1 for planning, 3 for execution) must revise

their plans, and personnel removal may be an option, as is conversion to charter status. However, many MRI options involve additional supports.

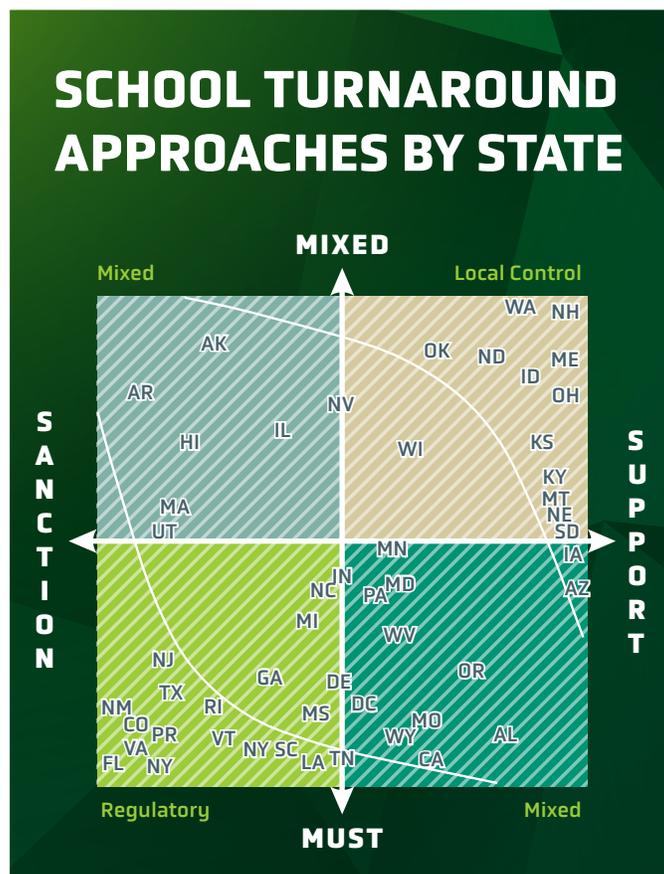
### REGULATORY

Regulatory state ESSA plans feature language that mandate specific and typically punitive responses to continued school failure, usually focusing on sanctions. Florida, for example, offers specific timelines and punitive responses for failure to exit CSI and TSI status, but also provides specific scenarios in which schools can immediately lose self-governance

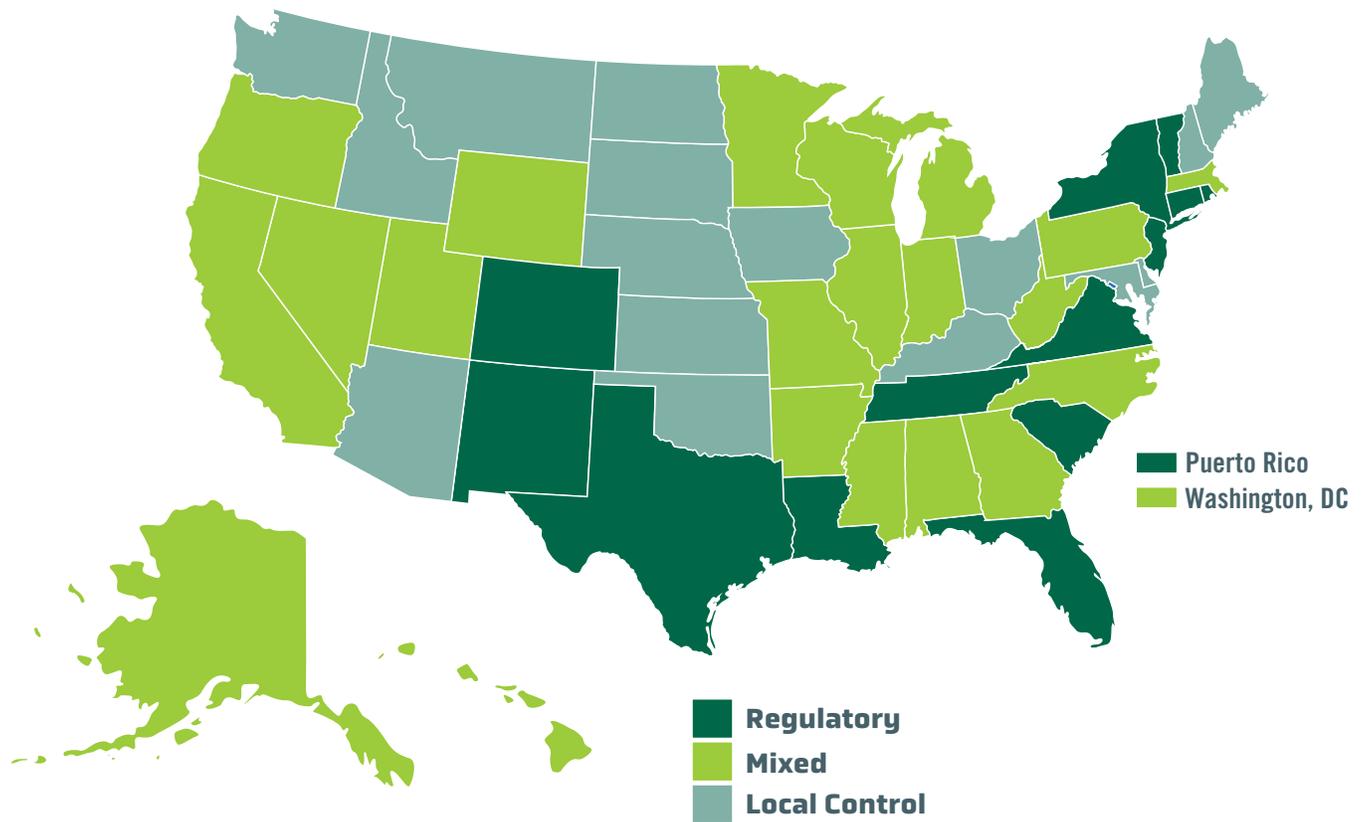
in favor of management by charter school management organizations or external operators.

We found patterns in the language and the key terms states used to determine each of the intervention categories, as well as language around their interventions. Many states used broad language about TSI, CSI, and MRI, including entrance and exit requirements. Others were very specific about criteria, including ramifications of failure to improve in a clearly defined timeframe. The intensity of the sanction/support dichotomy corresponded to may/must language in state ESSA plans. We designed the positioning to represent degrees of language variance. Florida, New York, and Virginia are all strongly Regulatory, but in our view,

Florida has the most arduous and direct “must-sanction” language. New Hampshire, Washington, and Maine are all “local control,” but New Hampshire’s insistence that its state law prevents most interventions into local school government earns the state’s position in the image presented. The “severity” of state interventions based on the specificity of that language can be found above. Florida’s 11 page description of its various analyses and interventions placed the state in the extreme “must sanction” corner. New



# ESSA INTERVENTION INTENSITY MAP



Hampshire’s state laws that prohibit most state intervention into local affairs place it most extremely in the “may support” quadrant. Interestingly, “must sanction” and “may support” have far more states in the “corners” than do the “may sanction” and “must support” areas. Other states closely related found their placement due to time-based distinctions or details like the number of sanctions or support offered or mandated to local schools and districts. The dynamics of those approaches is detailed in the graphic below.

Utilizing an analysis of entrance, exit, and intervention approaches, we then categorized state approaches to low performing and turnaround schools and then counted the following : 14 Local Control states, 25 Mixed approach states,

and 13 Regulatory states. The categories are geographically presented below:

While overlays of geographical and political regions do not reveal definitive patterns, omitting the non-contiguous states and territories (Alaska, Hawaii, District of Columbia, and Puerto Rico) shows that only two states—South Carolina and Arizona—are not connected geographically to states with similar approaches. Similarly, in our framework (Regulatory, Mixed, Local Control), only three continental states do not border another state of the same categorization: Florida, South Carolina, and Massachusetts. The two former are of course separated only by a strip of Georgia coastline. Perhaps the starkest geographical divide can be found when

dividing America into Southeast and Northwest sections, from Lake Erie south west towards Texas. South of that line has few “Local Control” states, while north has few “Regulatory” states. Additionally, only four states east of the Mississippi are “Local Control”: Kentucky, Maine, Ohio, and New Hampshire. Local control states border regulatory states on only six occasions and Kentucky is the only civil war era slave state employing a “Local Control” turnaround policy. Regulatory states are concentrated in the Sun Belt.

## CONCLUSIONS

The focus of school turnaround policies and interventions has traditionally addressed activity at the school level, the role of state and district policymakers has become more prominent in recent years. With the continued shift in governance patterns and decision-making authority, another set of crucial issues for district and school leaders centers around the capacity of the state to support, monitor, and regulate turnaround efforts at the district

and building level. Moving forward, the requirement for non-improving TSI schools to move CSI status could present a major challenge. The more schools identified as TSI, CSI, and MRI, the greater are capacity demands placed on districts to use “evidence-based” interventions to improve performance and, crucially, on states to monitor and provide grant funding for technical assistance (Rentner et al., 2019). This leads us to ask, what financial resources are available for implementation? To what extent are personnel reflected in how the plans are framed and, further, what is the appropriate mix of pressure and support? The schools with disproportionate numbers of low-income students and students of color labeled with TSI, CSI and MRI status are often located in under-resourced districts. States with high numbers of schools in CSI or MRI categories will necessarily experience greater resource and capacity obligations than they are able to meet. The same may hold true for individual school districts within each state.

Given state intervention parameters in regulatory states, how many options are available to local educators? How much discretion do districts and schools have to address genuine contextual concerns? Does policy diffusion across the states lead to “one size fits all” approaches? To what extent do regional political cultures play in a role in shaping

state level decisions to take a more regulatory, mixed, or local control approach? A better understanding of the patterns of approaches adopted by various states, and implications for districts whose plans must align to them, is critical to answering these concerns. This work should also be understood in the longer arc of social justice history and debates over who should intervene for social justice outcomes for children and their communities. It is still not clear in what ways the hand that directs from afar is dependent on local agency in implementation. What is clear is that there is much more work to be done.

**For more information, please see: Black, W., Rea, A., & Reck, B. (2021). Equity, effectiveness, and control: The Every Student Succeeds Act and state approaches to governing school turnaround. In C. Mullen (Ed.) International Handbook of Social Justice Interventions in Education.**





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