

Summary of State's Intervention Authorities in Low Performing Schools

State	District Takeover	School Takeover	School Reconstruction	State Statute	State Statute	List of Possible Actions the State can Take
Alabama	Yes	Yes		The State Superintendent of Education is required to intervene and appoint a person or persons to run the day-to-day operation of a low performing school. The local board may petition the SBE for release from state intervention by showing acceptable improvement in achievement or financial stability or other just cause.	16-6B-3 and 16-6B-6	Guide school in self-study, designate a team of practicing professionals to visit a school, conduct a study, consult with parents and make specific recommendations, appoint people to run the day-to-day operation of the school, assistance program for local boards of education.
Alaska				The state has recommended actions (not mandatory) for actions schools in various levels of improvement.	none found	
Arizona	Yes	Yes	Yes	The State Board of Education (SBE) has the discretion to determine to what extent they will participate in the operation of a low-performing school.	15-241	Evaluation by the SBE of adherence to school improvement plan, align curriculum with academic standards, provide teacher training, prioritize the budget, implement proven strategies to improve academic performance, public hearing to determine if a government nonprofit or private organization can submit an application to manage the school, participate in the operation of the school including replacing teachers, admin, staff, and district level people, modify the budget.

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Arkansas	Yes	Yes	Yes	The State Department of Education (SDE) may require the school to dismiss staff and administrators, annex the school to another school that is not in need of improvement, and/or take other such action as deemed necessary by the state department and the state board.	ADE 188 (10.1.6)	Students have option to move to a school/district not in improvement, the SDE approves a plan and specifies corrective actions, school restructuring, annex the school into another school, take over the school.
California	Yes	Yes	Yes	In California this is voluntary. The State Education Code says: "Superintendent of Public Instruction, with the approval of the State Board of Education, shall invite schools that scored below the 50th percentile on the achievement tests administered pursuant to Section 60640 both in the spring of 1998 and in the spring of 1999 to participate in the Immediate Intervention /Underperforming Schools Program. A school invited to participate may take any action not otherwise prohibited under state or federal law and that would not require reimbursement by the Commission on State Mandates to improve pupil performance." If districts apply and are approved for this process there are many actions the State can take.	52053-52055.5	
Colorado		Yes	Yes	Schools rated "unsatisfactory" for three years in a row must become a charter school.	22-30.5-301	

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Connecticut	Yes		Yes	"(d) The local or regional board of education shall monitor progress made by the school under the improvement plan. If two years after the date of approval of the improvement plan, the SBE finds that the school has not made sufficient progress, the SBE shall develop a plan for such school that requires the board to take one or more of the following actions in order to improve student achievement: (1) Close and reconstitute the school, (2) restructure the school in terms of the grades included or the programs offered, or both, (3) provide for site-based management of the school, and (4) allow students in the attendance area of the school to attend other public schools in the school district. The local or regional board of education may include in such plan a provision for the transfer of employees in conjunction with any such action.	P.A. 99-288	The improvement steps up until those mentioned in the Public Act are all voluntary and are undertaken at the district level by the local or regional board, the State only steps in as stated in the Statute.
Connecticut cont.				"The local or regional board of education shall submit its plan to the commissioner for approval and, upon such approval, shall implement the plan."		
Delaware				No authority to step in.	DE ADC 103	
Florida			Yes	Local school boards determine actions to be taken with failing schools with recommendations from the state. If local decisions do not move schools out of "failing" in two years the state can withhold funds if the local boards don't take State suggestions.	SS 1008.33	Withhold funds

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Georgia		Yes	Yes	If a school is judged as low performing for two consecutive years, the SBE may appoint a school master or management team to oversee and direct the duties of the principal until performance improves. After three years they can implement more interventions.	20-14-41	Issue public notice to local school board, order a hearing, order an improvement plan, appoint an improvement team to conduct a comprehensive on-site evaluation, recommend changes in school operations, appoint a School Master or management team to oversee the principal, remove school personnel on recommendation of the Master, call for implementation of a charter school, mandate the complete reconstitution of a school, institute an intensive student achievement improvement plan, public school choice, set maximum class sizes, expenditure control.

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Hawaii				In Hawaii the state is the LEA because there is only one district. The Department Of Education has developed a framework for school improvement which outlines requirements, sanctions, support services, reports and assessments.	CSPR 1.4.4.2	Restructuring schools may select conversion to a charter school or state takeover. The State does a comprehensive assessment by Complex Area Teams. Based on the assessment, schools can access the following support from the state: Critical Ally Team, assessment and prioritization of areas needing improvement, comprehensive needs assessment, assistance implementing corrective action, professional development, consultative or on-site services, school leadership development, standards-based education development, assessment system, learning environment, family and community support. In Hawaii, school restructuring means state takeover.
Idaho				State support is voluntary. The state does provide support for districts/schools not meeting the reading targets set by the state.	33.1616	The SDE provides an intervention program that consists of at least a site visit and recommendations to the district for improvement on the State reading goals.
Illinois	Yes	Yes	Yes	The SBE can direct the State Superintendent of Education to appoint an independent authority to operate a low-performing school. The SBE can also authorize the state superintendent to direct the reassignment of pupils and administrative staff.	5/2-3.25	Loss of state funds, remove school board members, appoint an independent authority to run the school or district, change the status of the school/district to non-recognized, reassign pupils.

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Indiana				After the 3rd year in the lowest category, the SBE establishes an expert team in the school that includes representatives from the community surrounding the school to assist in revising the school plan and recommend changes. After the 5th year the SBE has the authority to take the actions listed to the right.	IC 20-31-9-3,4	After three years, establish an expert team that includes community reps, and possibly superintendents, governing bodies, teachers, special consultants etc. to revise school plan. After five years, hold a public hearing to hear testimony on the following options: merge school with nearby school, assign special management team to operate school, implement department recommendations for improvements, change school procedures, professional development, intervention for teachers or administrators.
Iowa	Yes			No authority to step in.		
Kansas			Yes	Nothing found in administrative code.		
Kentucky	Yes			No authority to step in.	703KAR5:20	
Louisiana			Yes	Failing school can be transferred to the statewide Recovery School District. The school shall be operated by the Recovery School District in whatever manner it determines to be most likely to bring the school to an acceptable level of performance, including closing the school or contracting with an outside entity to run the school.	17:10.5	School is operated by the Recovery School District in whatever manner it deems necessary, revoke all school approval, school choice, reopen the school as a charter school or a school with a outside contract.
Maine				The Commissioner of schools can provide assistance to districts.	SS20-A 6210	
Maryland	Yes	Yes	Yes	Code talks about prescribed actions that local districts must take upon failing to meet Adequate Yearly Progress in successive years, but doesn't talk about actions for the state to take.	SS 13A.01.04.07	State can takeover and reconstitute schools.

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Massachusetts	Yes		Yes	If a school is deemed underperforming for 24 months after instituting an improvement plan, the SBE may step in and take action.	69-1J	Remove the principal of the school for the following school year, the new principal can remove any teacher or employee in the school without regard to procedure or contract, the commissioner can make available funds to increase the salary of teachers or principal in the school, any other actions determined by the SBE to be "reasonable calculated to increase the number of students attending the school who satisfy the student performance standards".
Michigan	Yes	Yes		Schools that fail to meet standards for three consecutive years have four options to choose from listed at the right.	380.128	The Superintendent of Public Instruction (SPI) appoints a new administrator of the school at the district's expense, parents can choose to send their child to a different school, the SPI will approve a research-based school improvement model and/or an affiliation with a college or university, the school is closed.
Minnesota				No authority to step in. The Commissioner is a resource districts can use for improvement.	SS 120B.35	

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Mississippi	Yes			If school districts fail to meet accreditation standards the SBE establishes a mandatory program of development for the district. If the school does not comply, or conditions do not improve, the Commission on School Accreditation requests that the Governor declare a state of emergency in the district, which allows the State to step in and take further measures with the district.	37-17-6	Override decisions of the local board or superintendent, Assign an interim conservator to oversee the finances of the district, supervise day to day activities of district staff, attend meetings, and approve or disapprove extra-curricular activities, give students transfers to other schools, reduce supplements paid to staff for financial reasons, itemize the accounting of the district, put a notice in the newspaper, take over the district completely until the state of emergency is over.
Missouri	Yes		Yes	Local district boards have the authority to intervene in academically deficient schools. The SBE has the authority to request a school improvement plan.	160.54 and 160.720	
Montana				Schools can lose accreditation status if they fail to implement improvement plans.	10.55.605	
Nebraska				No policy.		
Nevada		Yes		The State DOE can restructure the governance or oversee the operation of Title I schools that are restructuring under NCLB.	385.3761	Replace employees who contributed to the failure of the school, enter into a contract with a private management company with a record of effectiveness to operate the public school, oversee operation of the school, restructure the governance of the school.
New Hampshire				No authority to step in.	193H:4	

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New Jersey	Yes			"The Commissioner may seek partial or full state intervention in a public school district".	NJAC 6A:30-6.2	Appoint a district superintendent, appoint one or more highly skilled professionals to provide direct oversight, appoint up to three additional district board members.
New Mexico	Yes			The Public Education Department (PED) can manage or operate "corrective action" schools. The State Secretary of Education can terminate or discharge district employees. The PED is authorized to manage or make governance changes.	6.19.2.11and 22-2C-7(j)	Suspend the authority of a local school board, the DOE will adopt rules to provide services to low income students such as tutoring, replace staff, implement a new curriculum, decrease management authority, extend the school day or year, change the school's internal organizational structure, open the school as a charter school, make other governance changes.
New York	Yes		Yes	After five years of failing to meet AYP, districts must create a plan to restructure the school. The state approves/does not approve the plan.	8NYCRR100.2	
North Carolina	Yes	Yes	Yes	The State Board can assign an assistance team to an underperforming school. If a school fails to improve the SBE can intervene in various ways listed at the right.	115C-105.38 and 115C-105.39	Recommend that the local board retain, remediate, or remove the current principal; dismiss teachers, assistant principals, directors, and supervisors, appoint an interim superintendent, suspend the duties of the local board.

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North Dakota				Local interventions, not state interventions.		Local Interventions: Year five: replace key staff, new curriculum, new management, extend the year/day, restructure and increase State oversight. Year seven: defer administrative funds to improvement, offer signing bonus, offer school choice across district boundaries, contract with outside expert, other forms of major restructuring.
Ohio	Yes			Districts can turn a school over to the DOE if that school is restructuring.	3302.04	Conduct a site evaluation of the school/district, withhold a portion of Title I funds, direct the district to replace key personnel, institute a new curriculum, establish alternative forms of governance, appoint a trustee to manage the district, appoint an intervention team.
Oklahoma	Yes	Yes	Yes	The SBE can intervene in low performing schools via several routes listed at the right.	1210.541	Special funding, reassignment of district personnel, transfer of students, operation of the school by personnel employed by the State Department of Education, mandatory annexation, placing operation of the school with an institution of higher education as a developmental research school.
Oregon				DOE can provide ongoing technical assistance at the request of the district.	9-30-329.085	

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Pennsylvania	Yes			Certain districts with high numbers of low-performing schools can take certain actions when designated "education empowerment districts".	17-1701-B	Establish a charter school, designate a school as independent, employ professional staff, contract with for-profit or nonprofit organizations, reconstitute a school, reassign, suspend or dismiss a professional employee, supervise and direct principals, teachers and admin, rescind the contract of the superintendent, reallocate resources, amend school procedures.
Rhode Island	Yes	Yes	Yes	The SDE, in collaboration with the school district and the municipality, can exert progressive levels of control over a low performing school's budget, program and/or personnel.	16-7.1-5	Levels of control over school budget, program, personnel, restructure the school governance, make decisions regarding the continued operation of the school, technical assistance in improvement planning, curriculum alignment, student assessment, instruction, and family and community involvement, policy support, resource oversight, help create supportive partnerships with education institutions, business, governmental, or nonprofit agencies, provide additional state resources.
South Carolina	Yes	Yes	Yes	The State Superintendent, after consulting an external review committee and with the approval of the SBE, can declare a state of emergency in a low performing school and replace the principal or otherwise assume management of the schools.	59-18-1520	Furnish continuing advice and technical assistance in implementing the recommendation of the SBE, replace the principal, assume management of the school.
South Dakota				Local District manages the improvement process, not the State.	24.42.04.11	

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Tennessee	Yes			The State Commissioner of Education can assume any or all powers of governance for a school that has been on probation for low performance for two consecutive years and has not made any progress to meet the standards.	49-1-602	Study the school, approve allocation of state grants, provide technical assistance, approve the allocation of financial resources, appoint a local community review committee, replace or reassign staff, mandate a new research based curriculum, decrease school management authority, appoint instructional consultants, reorganize internal management structure, contract with an institution of higher education for school operation, remove the school from the school system and place under the DOE, restructure the school as a public charter school, assume all powers of governance, recommend to the SBE that the director of the LEA be replaced, recommend to the SBE that the local board members be replaced, pilot project programs that can include before/after school, Saturday school, and summer programs.

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Texas	Yes	Yes	Yes	The State Commissioner of Education can reconstitute or order the closure of a school that has been identified as low performing for two consecutive years or more. In reconstituting the school, a special school intervention team shall be assembled to decide which educators may be retained; those not retained may be assigned to another position in the district.	39.1324	Reconstitution of the school, assign a campus intervention team to help with developing and executing an approved improvement plan, the team decides what teachers will be retained, the commissioner can close a school, order a school to acquire professional services at the expense of the district select an external auditor, provide for the appropriate training of district staff or board members.
Utah				The state provides assistance, but not intervention.	none found	
Vermont		Yes	Yes	The State Commissioner of Education can recommend that the SBE assume administrative control over a low-performing school or close the school and require the district to pay tuition to another public school or an approved independent school. The action ultimately ordered by the SBE "shall be least intrusive consistent with the need to provide students attending the school substantially equal educational opportunities".	165	Technical assistance, adjust supervisory union boundaries or responsibilities of superintendence, assume administrative control to the extent necessary, close the school and require that they school district pay tuition to another public school.
Virginia				The SBE may require a division level academic review and then approve or disapprove a corrective action plan.	22.1-253.13:3	

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Washington				Identify schools and school districts in which state intervention measures will be needed and a range of appropriate intervention strategies . After the legislature has authorized a set of intervention strategies, at the request of the SBE the Superintendent shall intervene in the school or school district and take corrective actions. This chapter does not provide additional authority for the board or the Superintendent of Public Instruction to intervene in a school or school district.	(RCW 28A.305.130 (4) (e))	
West Virginia	Yes			The SBE can intervene in the operation of a low-performing school. Interventions may include, but are not limited to, establishing instructional programs, taking such direct action "as may be necessary to correct the low performance", and declaring that the position of principal is vacant and assigning a new principal "who shall serve at the will and pleasure of and, under the sole supervision of the state board".	18-2E-5	Technical assistance, professional development, money, additional staffing and resources, appoint a team of improvement consultants, appoint a monity paid at the county expense to cause improvements, establish instructional programs, replace the principal, allow students to transfer schools, replace the board.
Wisconsin				No state intervention authority.	none found	Schools/districts follow NCLB guidelines.
Wyoming				The SBE and SPI set goals and oversee progress of schools, but do not directly step in.	21-2-304	