



N.B. The information included here was collected in 2008 and may have changed.

STATE LEGISLATION RELATED TO SCHOOL INTERVENTIONS

State legislation can affect the selection of low-performing schools and districts, the interventions that are provided, and how they are funded. In the Northeast and Islands Region, seven states have enacted new legislation or revised existing legislation to further specify and/or expand on interventions required by No Child Left Behind (NCLB). Puerto Rico does not have such legislation.

Legislation that does not directly address low-performing schools sometimes can affect possible state intervention. Maine, which currently has 290 school districts serving approximately 200,000 students, is in the midst of statewide regionalization efforts, having confronted the reality of limited resources. New Hampshire is currently defining “adequate education” and developing new sources of funding to ensure it, in response to a series of court cases.

Connecticut’s Act Implementing the Provisions of the Budget Concerning Education, effective July 2007 (Amendment to Section 32, Section 10-223e of the CT General Statutes, PA 7-03), gives the Connecticut State Department of Education greater authority to provide “intensified supervision and direction” to schools and districts in corrective action. Connecticut fund appropriations include specifications for grants provided to its priority school districts, including a minimum amount of per pupil funding and authority to the department to allocate and distribute funds.

Maine’s Statute Title 20A (Section 1301, 1303) (2007) gives the commissioner the right to call for a review of a school, although no such reviews had taken place at the time of this study. This statute was enacted with the consideration that some schools may become persistently low performing.

Massachusetts’ Education Reform Act (MGL Ch. 69) (2006) provides the state Board of Elementary and Secondary Education authority over underperforming and chronically underperforming schools, and Board regulations 603 CMR 2.00 give the state education agency (SEA) additional authority to intervene with schools and districts that have been low performing for an extended period of time. State funds of \$9.1 million were appropriated to support accountability and targeted assistance activities for FY 08, an increase from \$5 million in FY 07.

New Hampshire’s Statewide School Improvement and Assessment Program (NH RSA 193-H: 4) applies to all public elementary and secondary schools in the state, even though NCLB requires only low-performing Title I schools to receive support. The state law directs the SEA to provide assistance to both Title I and non–Title I schools and provides \$500,000 of state funding for assistance to non–Title I schools to supplement federal Title I funds. It also explicitly prohibits the SEA from taking over non–Title I schools.

New York's Chapter 57 of the Laws of 2007 provides additional funding to school districts in exchange for increased accountability. All school districts that receive a supplemental educational improvement plan grant or significantly increased financial support are required to submit a contract for excellence. These districts must specify how they will allocate their additional funds to improve student achievement by selecting from the contract's menu of research-based program options.

Rhode Island continues to draw on its Comprehensive Education Strategy legislation, passed in 1997, which sets high standards and clear expectations, develops information systems to measure progress, and provides funding for professional development and other targeted investments through the Rhode Island Student Investment Initiative, known as Article 31. Article 31 was revised in 2006 to align with NCLB.

Vermont's Equal Education Opportunity Act (Act 60) provides funding equity across districts and "requires the commissioner to make biennial determinations of whether schools are meeting the School Quality Standards" which address "a school's physical, social, and academic climate." All schools must develop and implement data-based plans, a comprehensive local assessment system, and schoolwide, needs-based professional development, including mentoring. This system requires the identification of schools and districts "in need of improving student performance and those with outstanding performance" and the provision of technical assistance to schools and districts that make insufficient progress. The Commissioner's Required Actions 16 VSA Section 165(b) (2007) codify the state education agency's responsibilities with low-performing schools.