Protecting Philadelphia's Future: Part Two of a Comprehensive Proposal to Repair Public Education

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Author's Note

The Apple Computer CEO ousted immediately prior to Steve Jobs' return to the company he founded and then saved, once said that Apple was like a ship with a hole in the bottom and that his job was to turn the ship in the right direction. He said it with a straight face. In my view, that is what has been happening at the School District for the last thirty years. We're beached on a sandbar (some Pollyannas might even say we're pointing in the right direction), but high tide is coming and time is running out to get sea-worthy. Unlike Apple, there is no savior in our future. It is up to us.

Too dramatic? Consider the relationship between the failure of a city's schools to prepare children with workforce skills and the failure the city. Give me an example of a great school system in a failed city – or vice versa. But examples abound of places where both the city and the school district have failed.

Announcing my bid for re-election to City Council in 2011, I pledged my commitment to a simple premise: expand what works and shut down what does not. This applies to school districts as well as cities. It applies to functions, departments, and programs. It applies at the District, regional, and individual school level. It applies to charter schools. And it should apply to vouchers. The proposals in this paper start and end with that premise.

We can't "reform" the public schools. For them to be successful at fulfilling their mission the only answer is data-based innovation and continuous improvement. We must be impatient, accepting the risk that not all of our innovations will be successful but strong in the belief that no change is permanent.

Philadelphia's future depends on getting this right. To put it in stark terms, whether Philadelphia will have a future or not hangs in the balance. When thinking about school structure and pedagogy, our focus must be on doing things **for** children rather than **to** them. I recognize the former may have been the intent all along, but our actions speak louder than our words: many of the objections offered up to dramatic change are focused on the concerns and needs of grown-ups (administrators, contractors, union officials, teachers, etc.), not kids. To do right by Philadelphia's children, we must maintain single-minded focus on their concerns and needs. When we fail to do so, and thereby fail Philadelphia's children, it is our fault.

I recognize that the proposals in this paper will spark criticism, and I sincerely hope the criticism is constructive. If other solutions exist and are data-based and viable, I'm interested in hearing them. But please don't tell me what's wrong with these proposals without presenting your own path forward.

Introduction

We have been treating the School District of Philadelphia like a "too big to fail" financial institution – plowing additional public resources into it, professing that changes in leadership inexorably will translate to improved outcomes, and not coming to grips with the depth of the problems plaguing it. But, in fact, the District is "too big to succeed" – its expansive bureaucracy, diverse and at times competing missions, and sheer size prevent it from acting nimbly and aggressively to innovate and improve.

For Philadelphia to make sustainable and significant economic progress, we need continuing, sustained, and measurable improvement of our public education system to give parents more quality options and boost student achievement at *all* schools. We need to take action now. We already know what works: skilled leaders as principals, good teachers who are empowered to teach and provided with adequate resources in the classroom, and engaged parents and additional social services outside of the classroom. The question is how we can scale what works and target those schools most in need of improvement.

In May 2010, I released a comprehensive policy paper titled "Investing in Philadelphia's Future: The Case for Comprehensive Education Reform."[1] The paper analyzed the state of Philadelphia's workforce and education system, made 19 recommendations for immediate action, and offered an additional 18 recommendations for actions needed within the next three years. It is now a year and a half since I released the white paper and, unfortunately, many of the proposals remain just ideas.

As the governance at the School District of Philadelphia became increasingly turbulent this year, the question arose whether Philadelphia's families could continue to rely on the District to provide their children with a quality education. While acknowledging the incremental progress the District has made over the last decade in boosting test scores, it seems that progress is stagnating and the District lacks the vision or ability to bring about broader reform in the years ahead. Incremental gains in test scores give us false hope – on close examination, it is clear that they are so marginal they do not change the direction of the ship. Far too many of our students remain trapped in failing schools and far too few of these failing schools are receiving the fundamental reforms they desperately need.

Some elected officials have suggested abolishing the School Reform Commission (SRC) and returning control of schools to a Mayor-appointed board, while others advocate abolishing the SRC and creating an elected board in its place. While the status quo is unacceptable, neither of these reform proposals is ideal. Instead, we must continue the state's meaningful role in public education and balance targeted state oversight with local control. The system I envision is

[1] The policy paper is available at: www.greenforphiladelphia.com/content/education.

less entrenched in the existing bureaucracy, more nimble, and more willing to achieve broader reform where it is most needed. It expands what works and shuts down what does not – quickly. We should adopt a recovery school district model for all of the State's failing schools and return local control of our more successful schools to Philadelphia. That is, create a state agency focused only on what is not working and give it broad powers to fix or close schools.

At the end of the day, this is not about reforming schools or saving a system. It is about providing a free quality public education for all children – one that prepares them for a meaningful and productive life.

School Governance Must be Fundamentally Restructured

Philadelphia schools are now governed by a five-member board, the SRC, comprised of three members appointed by the Governor and two appointed by the Mayor. Created in 2001 as part of a state "takeover" of the financially distressed School District, the SRC replaced a nine-member Board of Education appointed by the Mayor. Philadelphia is the only school district in Pennsylvania governed by a state/city appointed board rather than by an elected or appointed board directly accountable to local voters.

In the decade following the implementation of the SRC model, Philadelphia schools received hundreds of millions of dollars in additional annual funding from the state government as part of then-Governor Rendell's broader effort to boost education funding. This assistance, in turn, enabled the District to stabilize its finances after decades of budgetary turmoil and to invest in programs that have increased student test scores on state tests – something that may say more about teaching to the test than about gains in knowledge, given the District's essentially flat performance on national tests over the same period.[2] Just 46% of District schools achieved adequate yearly progress (AYP) in 2011 (this figure includes special admission schools) and, at the current rate of progress, it will take until 2123 for every District student to reach grade level in reading and math – a benchmark that, in and of itself, says little about how well we are equipping students to compete in the 21st Century economy.[3] In other words, while there are paper gains on limited metrics, too many students in too many schools continue to be left behind. The ugly truth is that Philadelphia as city is not sustainable if we continue at this snail's pace.

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[2] During the 2009-2011 period, District scores on the Pennsylvania System of School Assessment (PSSA) test increased but its scores on the National Assessment of Educational Progress (NAEP) test largely stagnated and "lower percentages of students reach proficiency on NAEP than they do on . . . the PSSA." *See* Mezzacappa, Dale. "Gains in PSSA not mirrored in District NAEP results," *The Notebook*, December 2011 (available at: www.thenotebook.org/blog/114333/gains-pssa-not-mirrored-district-naep-results).

[3] Dan Hardy, Kristen A. Graham, and Dylan Purcell. "Fewer Pa. area schools meet test score standards." *Philadelphia Inquirer,* Sept. 29, 2011 (available at: http://articles.philly.com/2011-09-29/news/30217091_1_grade-level-percentage-of-schools-meeting-adequate-yearly-progress).

At the end of the day, Philadelphia's school system is too large and diverse to be effectively governed by the existing, centralized School District structure. Change takes too long and a one-size-fits-all approach across the entire District fails to take into account the significant disparities between, and the different needs of, various schools. A new governance structure must be implemented that recognizes the unique character of our public schools, responds to the wide range of challenges each of them faces, and achieves the following objectives:

- Continues the academic success in some of Philadelphia's existing public schools
- Recognizes the state's important role in educating our children
- Enhances accountability to the public
- Creates a more nimble and responsive organization with flexibility to teach different student populations in different ways
- Equips students with the critical thinking skills and substantive knowledge needed for employment in our increasingly knowledge-based global economy
- Provides meaningful alternatives to chronically failing schools and strong oversight to implement what works and quickly shut down what does not

Philadelphia public schools should be governed by two separate entities: a new state-wide school reform entity similar to Louisiana's Recovery School District that focuses solely on taking over and turning around failing schools across the state and a locally-appointed Board of Education.

Key Principles Underlying this Proposal

First, and fundamentally, the School District is **not doing enough to turn around all of Philadelphia's failing schools.** Although Philadelphia has some remarkable public schools, more than half of the District's schools are not making adequate yearly progress and fewer than 60% of students graduate high school in four years. The District has taken steps in the right direction to aggressively overhaul a handful of chronically troubled schools, but does not have the financial ability or single-minded focus to expand these reforms to every school that needs them.

Second, the School District has **too many competing priorities and too much bureaucracy to be an effective administrator of innovative turn-around efforts.** Philadelphia has 249 schools encompassing a broad range of student populations, community needs, and academic achievement. Between this diversity and the overall scarcity of resources, it is nearly impossible for the District to give schools the administrative flexibility or additional resources needed to reach their maximum potential. Perhaps stating the obvious, turning around failing schools and maintaining stable and successful schools require very different management styles.

Separating the public school system into two governing entities – one to specialize in turning around struggling schools and one to maintain the progress at stable and successful schools – will help ensure that both tiers of schools can receive the resources they need without competing against one another for priority on the District's funding agenda. The District should focus on improving schools that are adequate or successful by adopting innovations in charters and elsewhere; making its schools more autonomous; and eliminating costs not directly tied to effective teaching in the classroom.

Third, **continuous school improvement must become a "permanent" priority**, sustained and supported over time. Over the last two decades, Philadelphia has been in a repeated cycle of hiring a "superstar" superintendent who has come into office with his or her own vision of school reform. During the superintendent's tenure, these reforms are implemented, to varying degrees, but then largely abandoned when the superintendent leaves after a few years. A new superintendent is then hired with a new reform agenda, and the whole cycle starts over. Notably, superintendent departures have often coincided with financial crises at the School District, one result of which has been curtailing ongoing, expensive reform efforts. Overall, each wave of reform has been too short-lived and limited in scope to make a lasting difference.

Reform efforts should not depend on the tenure of a particular superintendent with a particular vision of change. We cannot simply hire someone to do this. We must decide as a state and city that we are going to do it and hold those who run the system accountable for achieving the results we demand. Lasting school reform does not happen overnight – it depends on long-term priorities that are pursued for many years. By creating a new state entity to focus solely on reforming troubled schools, reform initiatives will not be "owned" by any particular superintendent and will not live or die based on the popularity of the person heading the District or the political interests behind him or her. By allowing efforts to continue over many years and multiple administrations, we can build upon past successes. Rather than starting reform from scratch every few years, there will be much-needed continuity in the school turn-around process.

Fourth, **investment and participation by the state is needed to turn around failing schools**. Giving the state a more direct and meaningful role in school reform – as is proposed in the Recovery School District model – could neutralize the blame game in Harrisburg and help restore confidence in the value of investing in public education.

Too often, lawmakers from other parts of the state consider the District to be a chronically dysfunctional system that always comes to the Capitol with its hand out begging for more taxpayer dollars while producing lackluster results despite the billions of dollars it spends. This view is reinforced by the reality that Philadelphia receives a large share of state basic

education funds based on its being seven times larger than the second-largest district and educating an enormously low-income and special needs student population.

Once state government is in the driver's seat and fully responsible for turning around failing schools, poor student achievement could no longer be dismissed as due to local incompetence and mismanagement. This new model will foster a stronger sense of political ownership and responsibility for producing academic results in failing schools statewide, not just in Philadelphia.

Fifth, and as important as anything else, **stronger local accountability is needed for Philadelphia's schools**. A repeated and important criticism of the SRC governance structure is the School District's lack of accountability to Philadelphia citizens. Although the City contributes over $800 million to the School District every year, the Mayor has just two appointments to the five-member SRC and none of the SRC members may be removed from office without cause. Too often, those appointing the SRC members have taken a "hands-off" approach regarding the District and failed to ask tough questions about how the District is administered. Nor has the District had the best working relationship with its city-level funders (i.e., City Council). Too often, the District has left local elected officials in the dark about critical decisions, precipitating eleventh-hour tax increase requests and unnecessarily limiting a full, data-based discussion about the difficult decisions needed.

This lack of trust and poor working relationship was epitomized by the signing of an accountability agreement between the District, City, and Commonwealth during the 2011 budget process. That such an agreement was needed in the first place signaled a truly dysfunctional relationship and lack of trust between the District and its government partners/funders.

Returning control of the District to a Mayoral-appointed board will strengthen local accountability and force future Mayors to invest themselves politically in the fate of the school system. Additionally, the accountability required by data-based, sustained innovation and continuous improvement requires a transparency and openness that has never existed in the school system. The transparency principles for the City of Philadelphia set forth in my Open Government proposal should be applied to the school system as well.[4]

Sixth, **school turnaround efforts must be de-politicized.** It has become clear that local political factors too often influence how the School District proceeds with turning around failing schools. Elected officials have exerted influence to try to steer school management contracts to preferred organizations and subverted the will of parents, school advisory councils, and even the

[4] *See* "Open Government Philadelphia: Public Sector Improvements + Private Sector Opportunities = Transparency, Accountability, Innovation" policy paper and related PowerPoint (available at: www.greenforphiladelphia.com/content/open-government).

SRC in the process.[5] Politicians have also intervened in the charter renewal or review process – processes that should be based upon academic results and student achievement above all else. Moving school turnaround efforts under the jurisdiction of professional administrators at the state level will help insulate the process from local political factors and better ensure that student achievement, not political connections, is the guiding force in making school reform decisions.

Seventh, **charter school governance must be improved.** Charter schools in Pennsylvania are overseen by the local school board that granted the charter and in which the school operates. An increasing number of students (now more than 51,000) attend Philadelphia charter schools,[6] and while the number of vacant seats in District-operated schools continues to increase, most charter schools have a lengthy waiting list. Parents are voting with their feet by moving their children out of failing District schools and into charter schools at an ever-increasing rate. The dynamic between the charter school community and the District has been problematic,[7] due in no small part to the District viewing charters as competitors for students and funding rather than laboratories of innovation. This tension has been brought to the fore in the charter expansion process in which most successful charter schools have run into administrative roadblocks at the District that inhibit their expansion.

Also concerning is the District's weak oversight of existing charter schools, which has been noted in audits[8] and allowed lackluster charter schools to continue operating with mediocre results. Just as we need a process to turn around or close failing District schools, we need to do the same for failing charter schools. As part and parcel of this stronger oversight, we need agreed-upon performance measures for charter schools that are made available online in real time and allow data-based, comparative assessments of schools.

Going forward, decisions about charter school authorization, expansion, and closure should be made by a state-level entity, not by the local school districts that are in competition for students and dollars. When held strictly accountable for producing results, successful charter schools should be permitted to expand easily and unsuccessful charter schools should be shut down quickly.

Last and no means least, **additional resources must be brought into public education.** At a time when governments are slashing funding to school districts, many foundations and

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[5] *See* "Fact Finding Report to Mayor Michael A. Nutter Concerning Charter Operator Selection Process at Martin Luther King High School," City of Philadelphia, Chief Integrity Officer, Sept. 21, 2011 (available at: www.thenotebook.org/sites/default/files/MLK%20Report.pdf).

[6] "FY 2011-12 Consolidated Budget." School District of Philadelphia, p. 54 (available at: http://webgui.phila.k12.pa.us/uploads/Ae/99/Ae99kHT8YX2xL9JqWslHrQ/11-05-03-FY2011-12-SDP-Budget-Detail.pdf).

[7] See transcript of City Council Committee on Education, Nov. 17, 2009 (available at: www.phila.gov/citycouncil).

[8] "Review of Charter School Oversight," Philadelphia City Controller, April 2010 (available at: www.philadelphiacontroller.org/publications/other%20reports/CharterSchoolInvestigation_FullReport.pdf).

wealthy individuals are investing millions of dollars in innovative alternatives to traditional public school education. Charter schools with proven models of instruction have been major beneficiaries of private donations, and many businesses and academic programs have been heavily involved in identifying and implementing new ways to improve student achievement. Traditional public schools, however, do not receive much of this support and private donors have shown little willingness to contribute toward perpetuating the status quo. By changing the governance structure to one that emphasizes new ways of teaching and reforming troubled schools, there is the potential for publicly-supported schools to attract more outside dollars to support education at levels above and beyond what taxpayers can provide.

Pennsylvania's Recovery School District

The General Assembly should abolish the existing SRC structure and create a new statewide school district similar to the Recovery School District in Louisiana. This special school district would be directly administered by the Pennsylvania Department of Education (PDE), with the Secretary of Education appointing its board members and directly overseeing its operations. Unlike the existing state takeover model in place in Philadelphia, the Pennsylvania Recovery School District (PARSD) would be charged with taking control of individual failing schools in districts throughout Pennsylvania and completely overhauling them.

In the course of turning around failing schools, the PARSD would be tasked with providing targeted, increased financial support; implementing education reforms – including fully utilizing alternative education methods, such as charter and pilot schools; and implementing managerial and pedagogical best practices. A "failing" school could be defined by state-established criteria, such as one that has not made Adequate Yearly Progress for two or more consecutive years. More than one measure needs to be used so as to avoid focusing on a particular test instead determining whether we are successfully preparing students for life.[9]

This proposal builds upon the School District's recent turnaround efforts at 22 of Philadelphia's most troubled schools, while also appreciating the inherent limitations of trying to pursue those interventions while at the same time managing the 240 other District-operated schools. The District has attempted to bring about much-needed change at several dozen of the city's worst performing schools through the Renaissance Schools and Promise Academy initiatives. These reform initiatives included removing all or a portion of existing staff and either

[9] Education experts Lisa Guisbond and Monty Neill – Policy Analyst and Executive Director, respectively, of FairTest, the nonprofit National Center for Fair and Open Testing – have explained the importance of "real multiple measures" to measure student progress. They emphasize moving away from looking just at test results, and instead focusing on "science labs and field work, from short tasks to extended projects; oral presentations in any subject; extended math problems that require application to real world uses; and in-depth history reports, presented orally, in an essay, a PowerPoint, etc." *See* Strauss, Valerie. "What 'multiple measures' really means in evaluation," *The Washington Post*, Dec. 6, 2011 (available at: http://www.washingtonpost.com/blogs/answer-sheet/post/what-multiple-measures-really-means-in-evaluation/2011/12/05/gIQAILuDYO_blog.html).

(1) allowing charter operators to take over the school (Renaissance Schools) or (2) directing more resources to the school from the District's central office for supplemental programs and increased instruction time (Promise Academies).

These efforts are showing early, limited signs of success,[10] but are occurring in far too few schools (less than 10% of District-run schools) and must compete with other District funding priorities for financial and administrative resources. Due to budget cuts, the number of schools converted to Promise Academies has been drastically reduced, political deal-making has clouded the process of selecting charter operators for Renaissance Schools, and it is not clear that funding will be available to continue expanding the program.[11] While these initiatives represent a start toward fixing some of Philadelphia's failing schools, they are not being implemented broadly enough and the District has too many other priorities on its plate to give every failing school in the city the turnaround attention it deserves.

How It Works in Louisiana

Louisiana state government approached education reform quite differently than Pennsylvania. While Pennsylvania took over control of Philadelphia schools at the district administration level by replacing the governing body, Louisiana focused on taking over the operations of individual failing schools with the intent of turning them around and then returning them to local control. Louisiana's Recovery School District (RSDLA) currently oversees seventy-seven schools, primarily in New Orleans and Baton Rouge.[12] This governance structure places all "failing" schools in the state under the operational control of a single entity, the RSDLA, thereby removing many of the institutional obstacles to implementing reforms in these schools. The overwhelming majority of schools under the RSDLA are managed through non-traditional means, such as charter operators or private managers, although some are administered directly by the RSDLA Schools under RSDLA control have greater freedom to hire and retain staff based on performance and to implement best practices in curriculum design and instruction models.[13] For instance, many of them have a longer school day and year.

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[10] In 2010-11, enrollment grew at 6 of 7 Renaissance charter schools, with all but two increasing their within-year and year-to-year student retention rates. Test scores are also improving overall, though these turnaround initiatives have not been in place long enough for a significant multi-year trend to develop. *See* Herold, Benjamin. "Keeping it in the neighborhood: Renaissance Schools hold onto their students," *The Notebook*, October 2011 (available at: www.thenotebook.org/october-2011/114063/keeping-it-neighborhood).

[11] "Turnaround: Get it right," *The Notebook*, October 2011. (available at: http://www.thenotebook.org/october-2011/114064/turnaround-get-it-right); "Fact Finding Report to Mayor Michael A. Nutter Concerning Charter Operator Selection Process at Martin Luther King High School," City of Philadelphia, Chief Integrity Officer, Sept. 21, 2011 (available at: www.thenotebook.org/sites/default/files/MLK%20Report.pdf).

[12] Recovery School District Frequently Asked Questions (available at: www.rsdla.net/Resources/FAQs.aspx).

[13] "Recovery School District: Reform and Results," Fall 2010 ("Reform and Results, 2011") (available at: http://rsdla.net/Libraries/Information_at_a_Glance/Reform_and_Results.sflb.ashx).

This approach to school governance has major advantages, as it creates a system that encourages empowerment at the individual school level and gives parents more choices regarding where to send their children for a quality public education. The RSDLA summarizes its mission and approach as follows:

> [*T*]*he RSD transforms schools that for years have not put enough students on the path to career and college by identifying top school leaders and teachers to operate the schools, by giving them the freedom to educate children as they know best, and by giving parents the power to choose the schools that are best for their children.*[14]

Presently, 71% of New Orleans' public school students attend RSDLA schools, with the balance attending traditional public schools controlled by the Orleans Parish School Board or non-RSDLA charter schools.[15] Most schools under the RSDLA are managed by charter operators (similar to Philadelphia's Renaissance Schools), with a few schools managed directly under the RSDLA (similar to Philadelphia's Promise Academies). The RSDLA cooperates with the Orleans Parish School District on administrative matters like facilities and transportation planning, and memoranda of understanding between the RSDLA and the Orleans Parish School District outline the terms under which a school may be returned back to local control after at least five years if academic performance improves.

For the 69% of RSDLA students attending charter schools,[16] RSDLA functions mostly as an oversight entity and enforcer of accountability, allowing the charter operators to run day-to-day operations of the schools as they see fit. As described in a recent assessment of the RSDLA by an academic research center, this non-traditional approach has major inherent advantages:

> *Charter school educators are empowered to teach; parents are empowered to choose their school; principals set their own budgets so that more money gets to the classroom; community members form boards that oversee schools; and the district's central office, which is not close to the parents, the teachers, or the children, monitors schools but does not tell parents and teachers how to educate their children.*[17]

Unlike traditional school districts, the RSDLA does not have borrowing power or cash reserves. It overwhelmingly relies on traditional education funding streams, with some modest

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[14] "What Will it Take? The Recovery School District's Commitments to New Orleans," Recovery School District of Louisiana, p. 3 (available at: www.rsdla.net/Libraries/Documents_and_Reports/What_Will_it_Take.sflb.ashx)

[15] "The 2011 State of Public Education in New Orleans," Tulane University, Cowen Institute for Public Education ("2011 State of Public Education in New Orleans"), p. 7 (available at: www.coweninstitute.com/wp-content/uploads/2011/07/2011-SPENO-report.pdf).

[16] "The Recovery School District in New Orleans, 2003-2011," Tulane University, Cowen Institute for Public Education, p. 4 (available at: www.coweninstitute.com/wp-content/uploads/2011/04/RSD-Timeline-4-6-11.pdf).

[17] "What Will it Take? The Recovery School District's Commitments to New Orleans," Recovery School District of Louisiana, p. 3 (available at: www.rsdla.net/Libraries/Documents_and_Reports/What_Will_it_Take.sflb.ashx).

funding through the state for supplemental operations, insurance costs, and administrative personnel to oversee the reform efforts.[18] Additionally, many RSDLA schools, particularly those operated by charters, have successfully raised significant private funds from outside sources to support specific reform efforts. It must be noted that emergency state and federal funding in the wake of Hurricane Katrina helped spur the initial growth of the RSDLA: in reaction to Katrina, then-Secretary of Education Margaret Spellings released $20 million in federal funds specifically set aside for charters.[19]

Many schools under control of the RSDLA have shown significant improvements in student achievement since the RSDLA was formed less than a decade ago. Test scores in every grade and in every subject have increased for three consecutive years, with senior graduation rates increasing from 50% to 86%.[20] RSDLA schools led the state in academic growth in recent years, with a 20-point gain in the percentage of students passing the state mandated standardized tests from 2007-2010.[21] When considering these significant gains, it is important to note that these schools started from a very low point: in 2007, the passing rate for first time 4th grade test-takers in RSDLA schools was 36%,[22] and by 2010, the passing rate had increased to 58%.[23] Over the same interval, the passing rate for 8th grade first time test-takers increased from 32% to 50%.[24]

While these gains are commendable, there is no question that much more improvement is needed at these schools. But, as already pointed out, lasting school reform does not happen overnight and requires years of ongoing improvements – a long-term commitment that depends upon public support and political will. Notably, Louisiana's involvement in education via the RSDLA has been favorably accepted by the public. Opinion polls show that a majority of New Orleans residents support the state's takeover of most city schools post-Hurricane Katrina (58%), and oppose giving all schools back to the Orleans Parish School District (59%).[25]

While Louisiana pioneered this unique state takeover model, other states have been inspired by Louisiana's initial success and are implementing their own versions of the RSDLA. Tennessee has modeled its new Achievement School District (ASD) after Louisiana's RSD. Funded by a first-round Race to the Top federal grant and an Investing in Innovation (i3) grant,

[18] Reform and Results, 2011, p. 8.
[19] Jay Matthews. "Charter Schools' Big Experiment." The Washington Post, June 9, 2008 (available at: www.washingtonpost.com/wp-dyn/content/article/2008/06/08/AR2008060802174.html).
[20] Reform and Results 2011, p. 9.
[21] Id.
[22] Id.
[23] Id.
[24] Id.
[25] 2011 State of Public Education in New Orleans, p. 4.

the ASD was created in January 2010 through state legislation.[26] Schools are eligible to be in the ASD either because of where they stand in the state accountability system or because they are Title I schools that meet the U.S. Department of Education's definition of "persistently lowest achieving schools."[27] The ASD launched in the 2011-12 school year with a handful of schools,[28] and plans to add six more schools during the 2012-2013 school year.[29] Eighty-five schools will eventually be "ASD eligible" once the state's No Child Left Behind waiver is approved (the waiver expands eligibility to include all schools in the bottom five percent).[30]

Chris Barbic, who founded and ran YES Prep Public Schools, a network of successful Houston charter schools, became the first Superintendent of the ASD in August 2011.[31] Barbic has stressed ASD's "portfolio approach" to governance, which includes three distinct governing arrangements: (1) schools run directly by the ASD; (2) schools contracted by the ASD back to their local districts in which the individual schools will have the autonomy to make decisions about staff, calendar, and budget; and (3) schools contracted out to charters.[32] Under all three arrangements, the ASD will provide oversight and accountability and all schools will remain in the ASD for a minimum of five years.[33]

In Michigan, pursuant to a recently "beefed-up" emergency-manager law, former GM executive Roy Roberts was named the emergency manager of Detroit's public schools in May 2011. Roberts will lead Michigan in the process of creating a state authority that will be responsible for turning around the state's poorest-performing schools.[34]

Before being named superintendent of the Bridgeport, Connecticut school district this month, Paul Vallas – the former superintendent of Louisiana's Recovery School District (and before that, Philadelphia's School District) – was advising the interim superintendent in Kansas City, Missouri. The Kansas City School District lost its state accreditation on September 20,

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[26] "Tennessee First to the Top: TNASD Superintendent Job Description." Tennessee Department of Education, 2010, p. 1 ("TNASD Superintendent Job Description") (available at: www.tn.gov/firsttothetop/TNASDSuperintendentjobdescription.pdf).
[27] Id, p. 2.
[28] Resmovtis, Joy. "Tennessee's State-Controlled School District Puts Reform to the Test." *Huffington Post*, May 13, 2011 (available at: www.huffingtonpost.com/2011/05/13/tennessee-state-controlled-school-district_n_860324.html).
[29] Garrison, Joey. "New state education division could manage 10 low-performing Metro schools." *The City Paper*, Nov. 30, 2011 (available at: www.nashvillecitypaper.com/content/city-news/new-state-education-division-could-manage-10-low-performing-metro-schools).
[30] Roberts, Jane. "Unified Memphis-Shelby County schools may fall short at roll call." The Commercial Appeal, Nov. 18, 2011 (available at: www.commercialappeal.com/news/2011/nov/18/unified-schools-short-at-roll-call).
[31] Resmovtis, Joy. "Tennessee's State-Controlled School District Puts Reform to the Test." *Huffington Post*, May 13, 2011 (available at: www.huffingtonpost.com/2011/05/13/tennessee-state-controlled-school-district_n_860324.html).
[32] TNASD Superintendent Job Description, p. 3.
[33] Id, p. 3-4.
[34] Dolan, Matthew. "Detroit School District Shoring Up Its Finances." *Wall Street Journal*, Nov. 22, 2011 (available at: http://online.wsj.com/article/SB10001424052970203710704577052550338312014.html).

2011, a change that will be effective on January 1, 2012.[35] Missouri Education Commissioner Chris Nicastro has said that all options, including a Recovery School District model, are on the table when considering the future of the Kansas City schools.[36]

Finally, Hawaii is moving closer to a Recovery School District model with its "Zones of School Innovation" (ZSI) plan. Under this plan, the state will give struggling schools the authority to make changes to the school calendar, measure teacher effectiveness, and implement teacher merit pay. A main focus for ZSI is recruiting and retaining quality teachers, a unique challenge for Hawaii because its schools cannot easily hire and recruit teachers from across state lines.[37] There are currently two ZSI in rural, remote, or hard-to-staff areas (areas that also tend to be more economically disadvantaged).[38] The ZSI are partnering with nonprofits, foundations, and universities to help provide additional health and education services both inside and outside the schools.[39] The goal of the ZSI is to close the achievement gap, and they hope to see dramatic improvement in three to five years.[40]

How It Would Work in Pennsylvania

A Pennsylvania Recovery School District (PARSD) modeled on the Louisiana and Tennessee approaches[41] would not be limited to reforming failing schools in Philadelphia. Instead, it would be empowered to take over failing schools anywhere in Pennsylvania, implement reforms, and thereafter return control of such schools to local school districts once improvements are made.

Funding would continue to be allocated to local school districts under the current system, and dollars would then follow the student when the student attends a school administered by the PARSD.[42] The state, via the PARSD, would target additional resources to PARSD schools above and beyond the per-student allocation from local districts to support specific reform

[35] Blank, Chris. "Kansas City school district loses accreditation." Cybercast News Service. Sept. 20, 2011 (available at: http://cnsnews.com/news/article/kansas-city-school-district-loses-accreditation-0).
[36] Robertson, Joe. "Missouri education chief, KC school board talk of collaboration." *The Kansas City Star*, Nov. 14, 2011 (available at: http://www.kansascity.com/2011/11/14/3266773/missouri-education-chief-kc-school.html).
[37] Moreno, Loren. "Hawaii wants struggling schools to innovate their way to success." *Honolulu Advertiser*. Apr. 5, 2010 (available at: http://the.honoluluadvertiser.com/article/2010/Apr/05/ln/hawaii4050360.html).
[38] "Zones of School Innovation." Hawaii State Department of Education, November 2011 (available at: www.hawaiidoereform.org/Zones-of-School-Innovation).
[39] Id.
[40] Id.
[41] It must be noted that "modeled on" does not mean "copied whole-cloth." Louisiana, particularly post-Katrina New Orleans, is different from Pennsylvania and Philadelphia. Additionally, while there have been many successes with the RSDLA, there have also been some shortcomings. In creating the PARSD, Pennsylvania has the opportunity to learn from both the accomplishments and deficiencies of the RSDLA, Tennessee's ASD, and other turnaround efforts.
[42] As the Philadelphia School District has already started implementing a weighted student funding model, this new system of resource allocation should work relatively seamlessly with the allocation methods currently used in District schools.

efforts, such as extended instructional time. Unlike an across-the-board increase in the state's basic education subsidy to school districts, this method would ensure that additional state funds are being used for specific programs to boost student achievement in the most chronically failing schools, instead of having the increase swallowed up by inflation or bureaucratic costs spread across entire school districts.

Recognizing that most school districts already have the bureaucracy and technical expertise in place to handle administrative functions, the PARSD would work in cooperation with local districts on administrative matters such as defining catchment zones, planning transportation routes, and pursuing capital construction. While most of the traditional legal authority provided to local school districts and to the Philadelphia School District by the Public School Code would be preserved, some key changes are necessary to lay the foundation for the success of the initiative.

First, the authority to grant, expand, and close charter schools should be transferred to the state Department of Education.[43] Consolidating this function will help ensure consistency in the standards applied when considering requests for new charters; avoid the inherent conflict of interest local school districts face when determining charter applications (in the sense that the more charters granted, the fewer students attending district schools); and streamline the process for closing or removing and replacing unsuccessful charter schools that fail to meet state standards over a specified period of time.

With respect to the expansion of existing charter schools, state law should allow for unlimited expansion of charter schools meeting articulated performance metrics, provided that the schools demonstrate the administrative and fiscal capacity to expand. This was one of the key recommendations in my 2010 education policy paper.[44] It is inexcusable that we have, as a School District, turned away expansion applications by proven charter operators who are ready, willing, and able to add seats at the same time as there are 30,000 students on charter school waiting lists[45] and thousands more stuck in failing public schools.

Additionally, charter schools that are not part of specific neighborhood school turnaround efforts – either existing efforts or those commenced under the PARSD – should be permitted to reserve a portion of their seats for students who live in a defined catchment zone. This will help ensure that parents throughout a school district will have access to a good, publicly-supported school in their neighborhood for their children to attend.

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[43] The Department of Education could either delegate charter-granting authority to the PARSD, or fast-track applications by the PARSD to grant charters for the turnaround of failing schools in PARSD jurisdiction.

[44] "Investing in Philadelphia's Future: The Case for Comprehensive Education Reform" at p. 39-40 (available at: http://www.greenforphiladelphia.com/content/education).

[45] "Philadelphia's Changing Schools and What Parents Want from Them." The Pew Charitable Trusts: Philadelphia Research Initiative, p. 6 (available at: http://www.pewtrusts.org/our_work_report_detail.aspx?id=59683).

Second, to ensure that the turnaround effort proceeds with all deliberate speed, the bottom-performing 15% of schools in each district with failing schools would be transferred to the PARSD each year. The PARSD turnaround process would continue until all schools in the district meet specified metrics (for example, four consecutive years of making adequate yearly progress; 75% of students scoring advanced or proficient on PSSAs; or some other agreed-upon metrics).

Third, the PARSD would be authorized to utilize one of three turnaround models for the failing schools under its jurisdiction: (1) management by a charter school operator; (2) conversion to a pilot school (described in detail below); and (3) management by the PARSD (which can include a contract with the local district, as permitted by Tennessee's ASD).[46]

Finally, at the option of PARSD, state-funded vouchers would be made available for current students of any schools under PARSD control. This would ensure that vouchers would be provided to students who are in failing public schools – which is the key public policy goal of the voucher concept – rather than those who are already enrolled in private or parochial schools (which is a significant issue with the pending voucher proposal).[47] Vouchers will be in amounts of no more than the state subsidy per child. Importantly, and also addressing a concern raised with the pending proposal, the PARSD would help the students place the vouchers and provide parents with information allowing them to make informed choices regarding voucher placement.

A Closer Look at Pilot Schools

As noted above, one of the models available to the PARSD for school turnaround would be pilot schools. First pioneered in Boston, pilot schools are similar to charter schools in that they serve as models of innovation and provide increased school choice. But, rather than a takeover by a school district or charter provider, pilot schools have a faculty takeover. First, two-thirds of the staff must vote to become a pilot school. Second, they must submit a proposal to a steering committee composed of both school district and teachers' union representatives. Finally, the superintendent and school board must approve the proposal.[48] In the PARSD framework, the PARSD would establish the steering committee – which must include parent and

[46] The PARSD will primarily be an oversight entity and, as a result, one would expect direct PARSD management of a school to be rare indeed. A recent Cowen Institute report noted that the RSD direct-run schools are not doing as well as RSD charter schools. *See* "Transforming Public Education in New Orleans: The Recovery School District 2003-2011," The Scott S. Cowen Institute for Public Education Initiatives at Tulane University, December 2011, p. 24-27 (available at: www.coweninstitute.com/wp-content/uploads/2011/12/History-of-the-RSD-Report-2011.pdf).

[47] The Senate Appropriations Committee Fiscal Note for Senate Bill 1, which proposed to implement a voucher program, indicated that the majority of the students who would receive vouchers are those who are already attending non-public schools (available at: http://www.legis.state.pa.us/WU01/LI/BI/SFN/2011/0/SB0001P1031.pdf).

[48] "Description of the Boston Pilot Schools Network, March 2006," Center for Collaborative Education ("CCE report"), p. 4 (available at: www.ccebos.org/pilotschools/pilot_qa.doc).

teacher representatives – and approve the proposal. **School districts, including Philadelphia, should also consider this model.**

After conversion to a pilot school, a school resembles a charter school in that it has the autonomy to develop its own curricula, manage its own budget, design its own academic schedules, and staff its own classrooms. But while charter schools are operated by outside groups such as nonprofits, corporations, and universities, internal teams of teachers and principals operate pilot schools. In Boston, the Center for Collaborative Education, a non-profit education organization, provides the main support to the pilot schools. Its services include coaching, professional development, advocacy, and research and evaluation.[49]

Teachers who work in pilot schools still belong to the teachers' union, but they are exempt from union work rules. Teachers voluntarily choose to work at the pilot schools and assist in developing an "election-to-work agreement" that becomes their annual contract. This contract is revised and re-signed each year. Each pilot school is funded by a lump sum per pupil budget and has complete discretion to spend the money as it chooses.[50]

A governing board manages the pilot school. The board's members include the principal, at least four teachers, parents, community members, and, at the high school level, students. Faculty, parent, and student representatives are elected by their peers, and community members are chosen by the governing board. The governing board is responsible for developing the vision of the school, approving the annual budget, and the hiring and firing of staffers. During layoffs, teachers are still subject to union rules regarding bumping by seniority. The superintendent has final say over the selection, supervision, and firing of the principal.[51] Again, under the PARSD model, the PARSD would have control over the principal.

Pilot schools are given increased autonomy in exchange for increased accountability. In Boston, pilot schools account for over 10% of district-wide student enrollment. Boston's pilot schools outperform the district average on virtually every indicator of student achievement and engagement. Additionally, these schools have influenced the school district and led to the adoption of best practices on a district-wide level.[52]

An advantage to using the pilot school approach in the PARSD model is seeding innovation within the current teaching staff and beginning to drive decision-making, experimentation, and accountability down to the individual school level.

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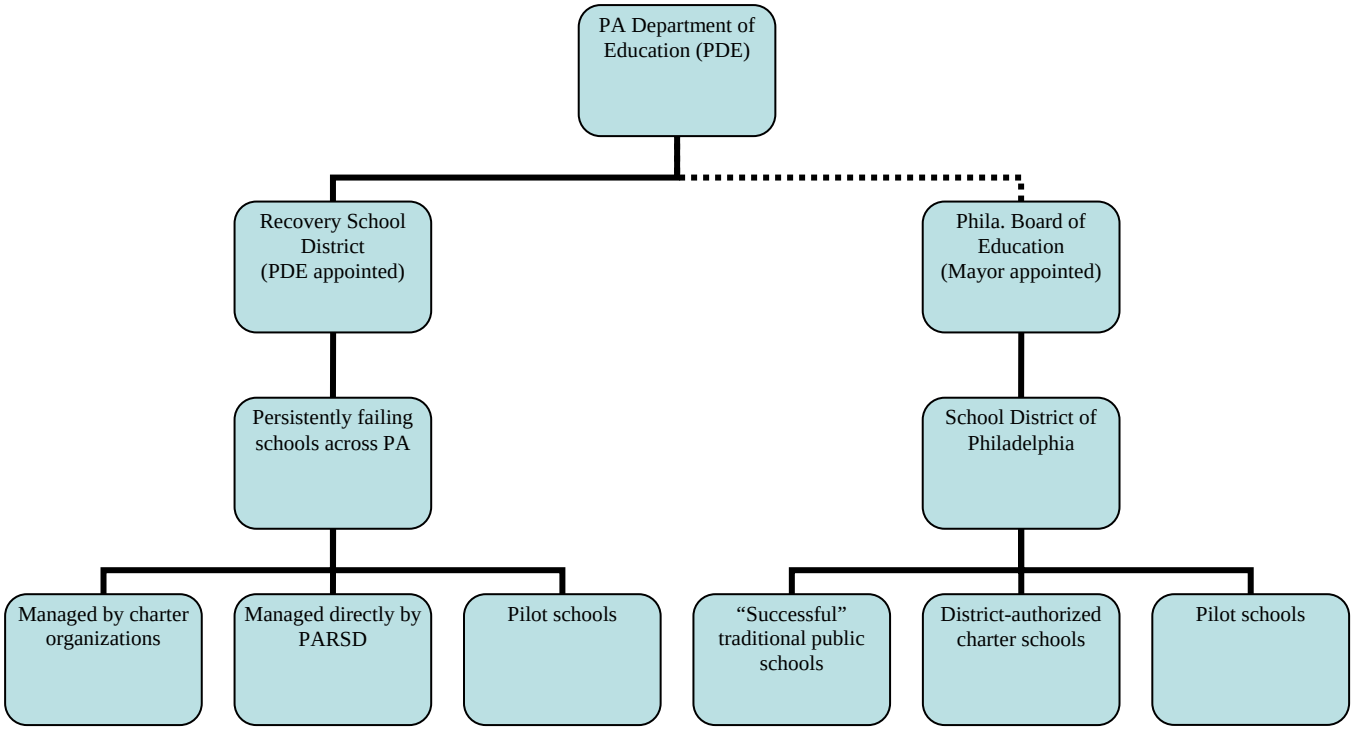
[49] See description of pilot schools on Boston Public Schools' website (available at: www.bostonpublicschools.org/view/pilot-schools).
[50] CCE report, p. 5.
[51] Id at p. 5.
[52] Id. at p. 2-4.

How It Would Work in Philadelphia

The chart below shows a clear delineation of control between the PARSD and the Philadelphia Board of Education. As explained above, the PARSD – under the direct control of the Department of Education – would manage persistently failing schools. At the local level, the SRC would be replaced by a Mayor-appointed Philadelphia Board of Education that would manage the School District of Philadelphia. The appointees to the Board would have terms concurrent with the Mayor's term in office, so as to allow for clear mayoral responsibility, authority and accountability.



Creating a second governing body responsible for a subset of Philadelphia schools would not require a complete duplication of services or the formation of a massive new bureaucracy. The PARSD would not function like a traditional school district: most of the existing, required administrative functions would remain the responsibility of the School District of Philadelphia. Rather than assuming those responsibilities, the PARSD would simply focus on managing turnaround efforts within individual schools and holding the operators of the schools accountable for producing results. In other words, the District's existing academic responsibility for operating struggling schools would be spun off to the PARSD, which would be charged with using a wide array of strategies to vigorously overhaul all struggling schools in Pennsylvania. Existing District reform initiatives, such as Renaissance Schools and Promise Academies, would be transferred to and, as appropriate, expanded by the PARSD, allowing the District to focus on its core administrative functions and running Philadelphia's successful public schools.

Both the state-appointed PARSD and Mayor-appointed Philadelphia Board of Education provide more effective forms of governance than the current SRC hybrid model. With the PARSD and a Philadelphia Board of Education, there will be a clear division of authority and responsibilities. The SRC model has led many to question "Who is really in charge here?" The Governor would ultimately be in charge of the PARSD, and the Mayor would be in charge of the Philadelphia Board of Education. This clear delineation of authority and responsibility would improve accountability. The PARSD will have its own theory of action and employ systemic strategies to achieve its goals; the Philadelphia Board of Education will have its own expectations, procedures, and approaches. Working side by side, the PARSD and Philadelphia Board of Education will educate all students in Philadelphia.

Conclusion

The age of school districts having monopoly power over publicly supported education has passed. We must now move aggressively, purposefully, and quickly to put in place a system of great schools. Just as the founders viewed the states as laboratories of democracy, these multiple models – traditional public schools, magnet schools, charter schools, private/parochial schools – are fertile territory for innovation in service of our core principle: that every child deserves a quality, publicly-support education equipping him or her with the critical thinking skills, knowledge base, and civic values to lead a productive and meaningful life.

For meaningful school reform to occur on the massive scale Philadelphia desperately needs, reform initiatives cannot be shoe-horned into the existing District bureaucracy and made to compete with other priorities and mandated responsibilities for scarce resources. To ensure single-minded focus, continuity, and accountability, the responsibility for turning around the worst performing schools in Philadelphia should be moved from the District, whose mission is much broader, to an entity whose sole long-term objective is to remediate failing schools – the proposed Recovery School District. This structure will create more academic options to compete with District-run schools for students and dollars – consistent with the vision of a system of great schools. Furthermore, the prospect of a state take-over of a school could provide much-needed incentive to maintain academic achievement at District-run schools.

The task before us is significant and will be met with resistance. But we cannot be content with the status quo: tens of thousands of children trapped in failing schools with little hope that their educational prospects will improve anytime soon. It is past time to expand what works and close down what does not.