Examining State Intervention Capacity
How Can the State Better Support Low Performing Schools and Districts?

Policy Brief: Summer 2004

Introduction

The imperative to improve low performing schools and districts has been cast into the spotlight in Massachusetts and nationally. State accountability systems and the No Child Left Behind Act force policymakers and the public, alike, to recognize the large numbers of schools that are failing to educate all students to high standards. They also confirm that urban districts, with diverse student populations, high concentrations of English Language Learners, and high mobility rates, face the greatest challenges. “Accountability systems alone will not improve schools. Without capacity to improve teaching and learning, these systems will just create a long list of low performers.” More schools and districts than ever are being identified as low performing, and the problem requires substantial, systemic action from the state. Massachusetts has developed mechanisms for identifying low performing schools and districts and diagnosing their areas of weakness. In the future, this system must be extended to include greater support for districts in need of improvement—and this will require greater state assistance capacity. In fact, this matter of state leadership on intervention and capacity building is a central consideration in the current school finance case, Hancock v. Driscoll, now being considered by the state’s Supreme Judicial Court.

Purpose

The policy focus in Massachusetts has shifted from developing an assessment system that identifies low performers to recognizing the need for the state to increase its capacity to provide assistance. The goal of providing state assistance to schools and districts is to build their capacity for improving student achievement. This brief is designed to inform policymakers about the current context surrounding state intervention into low performing schools and districts and to outline the steps the state can take to further develop its intervention services.

This policy brief is broken into five sections that:

- Clarify current state and national imperatives which require expanded support to low performing schools and districts;
- Describe the state intervention system that presently operates in Massachusetts and analyze it in the context of other state’s efforts;
- Identify key decision areas in the design and expansion of intervention systems;
- Profile innovative district intervention models from other states that could provide lessons on implementation and structure for Massachusetts;
- Present a series of recommendations for Massachusetts to consider in strengthening its system of intervention, especially at the district level.

This report is the product of research that began with a literature review of current publications on state intervention in low performing schools and districts. In order to generate a picture of current state efforts, we interviewed state officials in Massachusetts as well as several other states and supplemented that information with analysis of state-published documents and legislation. Little research exists on outcomes of state intervention, particularly intervention in districts. Rather than identifying the state system that has had the greatest impact on student achievement, this report is intended to offer ideas based on other states’ different approaches and to highlight the need for further research.

The National Context

Districts and states face increased accountability for school performance under No Child Left Behind (NCLB). Schools are required to make Adequate Yearly Progress (AYP) not only across each grade level, but also for all demographic subgroups represented in the student body. Schools that fail to meet their AYP standards face an escalating series of sanctions over multiple years:

- **Two consecutive years.** District must provide assistance; students receive option to transfer
- **Three consecutive years.** Private tutoring must be provided out of Title I funds
- **Four consecutive years.** Reorganization of the school including staff and curricula replacement
- **Five consecutive years.** Reconstitution; re-opening of a school as a charter school; outside or state management

Districts and states are responsible for both enforcing the federal law by ensuring compliance with sanctions and also supporting schools in improvement.

NCLB also mandates an accountability structure for districts that is similar to the one described above for schools. Districts that do not make AYP for two consecutive years are identified for improvement. These districts are required to develop and implement an improvement plan using scientifically-based research. If the district fails to make adequate progress for two additional years, states are required to enforce some form of corrective action. Possibilities range from the benign, such as adopting new curricula, to the severe, like placing the district into receivership. The challenge of creating intervention systems to support district improvement is that the field lacks scientifically-based knowledge on how to support improvement at the whole-district level.

No Child Left Behind requires states to provide “scientifically-based” technical assistance to low performing schools & districts. However, the field of education lacks clarity on effective intervention strategies, particularly in districts.

The State Context

Massachusetts has made considerable progress in developing an overall accountability system since the state’s Education Reform Act of 1993. State standards and assessments have been cited as national models of quality and rigor. The state has designed and implemented systems to identify low performers and diagnose their weaknesses based on multiple measures. Yet, the vision of a comprehensive accountability system is unfinished. The state role in accountability can be conceived in five parts:

1. Setting standards;
2. Developing assessments aligned to those standards;
3. Identifying low performers based on assessments and other measures;
4. Diagnosing the specific weaknesses of low performing schools and districts; and
5. Providing assistance to remediate those weaknesses.

The current challenge lies in addressing part five, that is, refining and building the capacity of assistance systems, particularly at the district-level. Better supporting schools and districts that consistently fall short of adequate improvement is the last step in fulfilling the state’s charge to educate all students to high standards.

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The adequacy of state support to low performing schools and districts has been the subject of recent litigation in Massachusetts. In the case of *Hancock v. Driscoll*, plaintiffs from nineteen cities and towns in the Commonwealth claimed that their opportunities to learn were inferior to those of students in more affluent districts. In April 2004, Judge Margot Botsford rendered an advisory opinion to the Supreme Judicial Court. Her report observed that, while additional financial resources were needed, a lack of leadership capacity at the state and district levels also contributed significantly to the weaknesses in these school systems. Botsford highlighted the lack of capacity at the state level as a particular problem: “The system [the state] depend[s] on to improve the capacities of schools and districts is not currently adequate to do the job”. Botsford’s report challenges Massachusetts to commit more resources to low performing schools and districts, but it also compels the state to design, fund and implement a stronger support system for low performing schools and districts.

For perspective on the scope of the problem, 94 percent of districts and 85 percent of schools in Massachusetts made Adequate Yearly Progress in reading and math for their overall student populations in 2003. However, the *No Child Left Behind Act* also requires the progress of every subgroup in the student population to be measured. In 2003, 47 percent of Massachusetts schools and 67 percent of its districts did not make AYP for one or more subgroup in at least one subject area. In 2003… the Department identified 208 schools that failed to make AYP for two consecutive years, 103 that failed to make AYP for four consecutive years and 38 schools were identified for corrective action because they failed to make AYP for the five prior years”. Yet, the state did not have the capacity to investigate most of those to determine causes for underperformance. Demographic data reveal that schools that have been declared as “underperforming” tend to be concentrated in the state’s large, socio-economically disadvantaged urban districts, thus forcing recognition that the problem is larger than the school itself.

The following section details Massachusetts’ current intervention system and aspects needing expansion.

**Current Intervention System in Massachusetts**

The state has separate processes for handling low performing schools and districts. While some overlap exists, the state Department of Education (DOE) is primarily responsible for facilitating school-level improvement, and the independent Office of Educational Quality and Accountability (EQA) is primarily responsible for working at the district-level.

**School-Level**

State intervention into low performing schools began in 1999, shortly after the first results of the Massachusetts Comprehensive Assessment System (MCAS) results were released. The Department of Education’s Accountability and Targeted Assistance division identifies and diagnoses weaknesses of low performing schools in a three-stage process. All schools are assigned performance ratings; then a select number participate in a panel review, and finally, those declared underperforming undergo an extensive fact-finding process.

**School Performance Rating Process.** Based on MCAS scores, every school in the state receives separate ratings for overall performance and for growth (compared to past scores). Ratings are assigned at two-year intervals.

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3  *Hancock v. Driscoll*, Botsford report, p. 347
4  Massachusetts Department of Education, press release, www.doe.mass.edu
5  *Hancock v. Driscoll*, Botsford report, 2004, p. 27
6  EQA reports to the Educational Management Audit Council (EMAC), whereas the Department of Education is ultimately accountable to the state Board of Education.
Panel Review. DOE officials, in combination with specially trained educators, review documents from schools with low test scores and/or minimal test improvement and conduct a two-day site visit to examine the overall conditions for teaching and learning in the school. Evidence used in the review includes graduation rates and attendance rates, among other measures.

Fact-Finding. When a school is declared underperforming following a panel review, a DOE-led team conducts an in-depth fact-finding review to “diagnose reasons for performance problems and recommend improvement strategies.” Fact-finding teams lead schools through the ten-step, data-driven Performance Improvement Mapping (PIM) process. This stage is broader in scope than the panel review and involves examination of the school’s curriculum, instructional practices and leadership, as well as school and district infrastructure.

The DOE Office of Accountability and Targeted Assistance follows up the school diagnosis process with technical support services to schools in need. In the Fall of 2003, the DOE launched a comprehensive assistance strategy targeted at the state’s ten largest districts, in which 70 percent of the state’s schools identified for improvement are located. These districts receive grants to hire School Support Specialists who are trained by the DOE but work directly in the district. Specialists are responsible for guiding and educating administrators about the development and implementation of school improvement plans. School Support Specialists meet in a DOE-led network on a monthly basis and, as such, are a key communication link between the DOE and the districts.

The DOE Office of Accountability and Targeted Assistance also coordinates several other forms of assistance in specific domains for low performing schools, such as reading and meeting the needs of English Language Learners.

Massachusetts’ school-level accountability and assistance system has been refined over the past five years. The system has defined stages, indicators, support mechanisms and training components for review teams and those providing technical assistance. The greatest challenge of the school-level system is growing to scale. For example, the system needs to build capacity to conduct a larger number of reviews each year. Sixteen panel reviews and seven fact-finding evaluations were completed in FY 2003, though 38 schools had failed to make AYP for five consecutive years.

District-Level
Massachusetts has a separate accountability track for districts, but services are currently limited to identification of districts in need of intervention and diagnosis of specific weakness areas. The state has not yet developed a technical assistance component for district improvement. The district identification and diagnosis process parallels the three-stage school-level process. The review stages are labeled as Tiers I, II and III.

Tier I: MCAS and District Data Analysis. EQA Examiners review district-wide MCAS test scores for both performance and growth in terms of the overall district population and each separate subgroup. They also determine the percentage of students being tested to ensure compliance with state and federal law.

Tier II: Document Review. Particularly low performing districts pass to Tier II review. Teams of four to six examiners review approximately fifty different forms of district data and

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As with the school-level process, high performers are also reviewed as a source for deriving best practice information.

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7 Review teams also visit schools that have made atypical progress on MCAS to gather data on practices that lead to school improvement.
8 Massachusetts Department of Education website www.doe.mass.edu/ata
9 In addition to needing to increase capacity to conduct reviews, the state also must expand its capacity to provide technical assistance in content areas such as math.
10 As with the school-level process, high performers are also reviewed as a source for deriving best practice information.
documentation and then conduct three days of on-site interviews. Their work focuses on five domains:

- Assessment and evaluation;
- Curriculum and instruction;
- Academic support services;
- Financial management; and
- Organizational and human resource management.

The EQA team has established over three dozen standards and associated indicators to evaluate a district’s status and progress in these domains.

**Tier III: Examination.** Examiners recommend a smaller number of districts undergo an extended series of observations, interviews and document analysis to determine whether they should be labeled by the state as underperforming or placed on the state’s district watch list. Districts that undergo Tier III review receive a detailed performance report from the EQA. Those declared underperforming must agree to implement specific changes throughout the district system over a two year time period, at which point their progress with be re-evaluated. Currently, Holyoke and Winchendon have been labeled underperforming, and more than a half dozen other districts are on watch status.

EQA examiners conducted seventeen district examinations in FY2003. EQA examiners are experienced educators who have left the public school system. Examiners have a minimum of twelve years experience in schools, three years as a supervisor, and have earned at least a master’s degree. Most are former superintendents, and most are contractors rather than state employees. By comparison, school-level review teams are led by DOE officials, who often have limited experience working in schools, paired with practicing educators.

The district-level process involves limited monitoring after the diagnosis process, but stops short of providing support to districts, all of who have demonstrated an inability to change on their own in the past. Federal law now requires that Massachusetts build a technical assistance system at the district-level. While little research exists to provide direction on successful district intervention strategies, it is instructive to consider how other states have made decisions about allocation of limited resources and intervention program design. The following section clarifies major distinctions among programs and highlights promising practices from several states across the nation.

**Variations in States’ Approaches to Intervention**

State approaches to intervention in low performing schools and districts share a common sequence that begins with identification of low performers, proceeds to diagnosis of needs and concludes with technical assistance. All fifty states now identify low performing schools using standardized test scores as well as other measures. However, despite federal mandate, only 36 states have enacted systems that diagnose schools’ weaknesses or provide them support. States tend to have done less to develop district-level intervention systems.

Given limitations in capacity, financial resources and knowledge about intervention strategies, states have been forced to make tradeoffs in supporting low performing schools and districts. Though the federal government mandates a state role, no state is able to provide complete and targeted intervention services to every school and district that could benefit. This section compares Massachusetts’ current intervention system to those of other states, outlining the major challenges

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states face when deciding how to allocate scarce intervention resources and identifying the range and scope of services they might provide.

**Depth versus breadth.** States must contend with the competing tensions of (1) supporting all schools and districts that have been designated as low performing and (2) supporting schools and districts intensively enough to elicit substantial improvement in both operations and outcomes. States make distinctly different choices about resource allocation.

On the one hand, turning around low performing schools is a process that occurs over a period of years, not weeks or months. For perspective, Michael Fullan suggests that it takes three to five years to fully implement a math or reading program in a school. A whole-school turnaround is a much more complicated undertaking that involves not only changes in instruction but also in leadership, budgeting and use of data. States are identifying tens and hundreds of schools as low performing each year, and they do not have the capacity to undertake comparable numbers of interventions. During the 2002-03 school year, for example, 5,211 schools across the nation were designated as low performing based on their AYP performance. States do not have the resources to dedicate a team of experts to each of these locations for multiple years at a time.

At one end of the spectrum, “the North Carolina model” refers to an intense focus on a small number of schools and demonstrates the state’s decisive strategy to serve only those schools deemed to have the greatest level of need. South Carolina and New Jersey are other states that follow this model of targeting only schools and districts deemed most in need. States such as Kentucky and Alabama attempt to serve all of the schools that have been identified as low performing. Many states, such as California, are legally responsible for serving all low performers but acknowledge being unable to extend services so broadly. Certain states, including Massachusetts, have developed watch lists and compendia of best practices in an attempt to demonstrate that they are not neglecting low performers who do not receive intensive intervention services.

**Size of financial investment.** Whether a state attempts to provide intensive assistance to a small number of schools and districts or more limited assistance to all schools and districts in need, the cost of intervention is high. Our research revealed a range in overall spending on intervention programs from a low of $50,000 in Connecticut in 2002 to a high of almost $100 million in California. States spend as little as $19,000 per school (Indiana) and as much as $100,000 per school (Nevada, Maryland and California). District intervention efforts carry a higher price tag.

The economic downturn of the early part of this decade had a detrimental effect on nascent intervention programs and their budgets. Many states initially approached intervention by dedicating considerable funding to support services, yet most were cut back in

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14 In addition to only working with a small number of schools, North Carolina supports each school for multiple years, while most state support programs are designed to terminate after a year.
recent years just as systems were maturing and improving. At present, many states are struggling to maintain current levels of technical assistance. In Kentucky, for example, budget challenges restrict the state’s ability to hire more highly skilled educators. Virginia scaled back from its model of full-time assistance to schools to part-time. Several other states have also cut the number of schools they are serving. In every state, funding remains inadequate for substantial, long-term intervention in all low performing schools and districts. The convergence of shrinking state budgets and growing numbers of schools identified as low performing has prevented intervention systems across the nation from developing adequately to meet the needs of all low performing schools and districts.

Content of assistance. While all states see improving student achievement and closing the achievement gap as the end goals of their intervention efforts, they employ varying mechanisms to achieve those ends. States provide differing types of technical assistance to low performing schools, ranging from simply diagnosing areas of weakness to partnering in the implementation of new instructionally-focused programs. Sixteen states in our sample provided support that extended beyond simple diagnosis, including:

- Development of school- and district-level improvement plans (11 states);
- Technical assistance with curriculum and instruction (e.g. by helping districts to adopt scientifically-based reading programs) (8 states);
- Data training and support using assessments (e.g. by teaching teachers and administrators to interpret test data) (6 states);
- Leadership development and governance improvement (e.g. by offering summer training institutes for principals) (3 states); and
- Support with parent and community involvement (2 states).

![Figure 1. Content of Assistance](image)

School, district or both? No Child Left Behind requires states to provide “scientifically-based” technical assistance to low performing schools and districts. However, the field of education lacks clarity on effective intervention strategies, particularly at the district-level. There is growing consensus around the importance of the district role in ensuring that schools achieve high standards, but attempts to transfer positive practices from one district to another typically have had modest outcomes. The qualities associated with strong districts have been articulated in the research and include a specific, instructionally-focused vision, strong leadership and collaboration across levels of the system. Yet developing these qualities

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where they are lacking has proven a significant obstacle. State capacity is required to build leadership in districts, but states often do not have adequate capacity to meet this demand.\[17\]

States are learning from past experience that bypassing districts in the school improvement process is a mistake. Districts were once thought to be part of the reason that schools were failing and, thus, were removed from the improvement process. However, improvement processes that omit districts from the equation are not sustainable, as a lack of district capacity can sabotage individual schools’ efforts. As Wendy Harris of the California Department of Education explains, “Schools are at the mercy of the district’s investment. The schools that receive district support do well.”\[18\]

Less than half of the 36 states, which have intervention programs for low performing schools, have established programs at the district-level, though the number is growing. Currently, sixteen states have district intervention systems or fund low performing districts to contract with support providers.\[19\] Certain states are beginning to provide innovative district-level supports. For example, Louisiana recently decided to remove chronically underperforming schools from their local districts and create a separate “recovery district” that transcends geographic boundaries. Baltimore’s low performing schools have also been grouped into their own, smaller district.

**Staffing assistance efforts.** States have attempted a number of different approaches to assistance including hiring experienced individuals to work inside school district central offices, deploying teams of educators to consult to districts, and creating regional assistance centers to scale the availability of state support. Some states provide grants to districts and allow them to choose private support providers. The most common approach to intervention involves the use of hybrid teams of educators and Department of Education staff, who can provide coordinated guidance on state requirements and technical assistance on instruction. The three state examples below may provide options for Massachusetts to consider in designing a comprehensive district assistance plan.

Less than half of the 36 states, that have established intervention programs for low performing schools have established programs to serve low performing districts. While Massachusetts has established this type of intervention program, it serves only to diagnose need.

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18 Wendy Harris interview 3/25/04.
• **North Carolina: Teams for ‘Mandatory Assistance’ Locations**
The North Carolina Department of Public Instruction assigns School Based Management Teams (SBMTs), which are comprised of four-to-five experienced educators, to work on a daily basis in low performing schools. The relationship between school and the SBMT begins with a needs assessment and proceeds with targeted support. SBMTs engage in activities such as setting up demonstration lessons for teachers, aiding in budget adjustments and establishing plans for reducing class size or implementing teacher mentoring. North Carolina allows schools three years to improve before levying sanctions.

• **New Jersey: Highly Skilled Professionals in District Central Offices**
The New Jersey State Department of Education conducts an internal review and evaluates the improvement plan of any district identified as low performing. Districts are evaluated in five areas: (1) instruction and program, (2) personnel, (3) fiscal management, (4) operations, and (5) governance. The Commissioner of Education then appoints a trained Highly Skilled Professional (HSP) to work in that district for the year and guide change in the five areas. HSP’s are professionals with predominantly education backgrounds and are selected to match the specific needs of the district. The HSP acts as a liaison between the Department of Education and the district in the implementation of improvement strategies. To accomplish this goal, the HSP develops agreements with district staff, oversees district policy change and assists in the deployment of necessary resources to the schools.

• **Texas: Regional Service Centers**
Many states have created regional service centers to address challenges incurred with a small DOE servicing a large number of districts. State DOEs are able to manage the small number of centers, however, and each center assists a manageable number of districts. Texas has twenty Education Service Centers (ESCs) spread throughout the state. Each ESC assists districts improve student performance and increase the efficiency and effectiveness of school operations. ESCs have discretion in the design of a regional support system. For example, one ESC may focus on special education and another may focus on English Language Learners. Each ESC can tailor its programs to meet local needs in a way that state departments cannot. The ESCs are evaluated based on regional student performance on state tests.

**Tracking outcomes.** States also make varied levels of investment in researching school and district intervention outcomes. This poses difficulty for policymakers attempting to sort through the tradeoffs associated with different intervention models. While the literature on state intervention is in its infancy, existing research reveals some correlation between the intensity of the intervention and the strength of its outcomes. State examples demonstrate the possible payoff associated with a deeper investment in a smaller number of schools. In North Carolina, a state intensively focused on a small number of interventions, only three of sixty schools originally assigned for “mandatory assistance” failed to meet improvement targets after the two-year support cycle (5 percent). By contrast, in states like Maryland, New York and California where a less intense intervention has occurred, data suggest that fewer than 20 percent of schools receiving state assistance were able to meet their respective goals by the end of one year.
Recommendations

Massachusetts has developed a standards and assessment system that is a national model. The challenge is building a technical assistance system that is of comparable high quality. This section outlines a series of next steps that the state might consider to move toward meeting the needs of all low performing schools and districts.

**Develop a system of technical assistance for districts.** Massachusetts must do more than just diagnose the challenges facing individual low performing districts. Schools and districts do not have the capacity to improve on their own, as has been demonstrated by significant research over time. Assistance should be available to meet districts’ specific and diverse challenges, including: budgeting and resource allocation, leadership, curriculum and assessment, data, and meeting the needs of English language learners and special education students.

In order to build such a system, the state should:

1. **Examine district intervention efforts of other states.** All states are in the early stages of developing and refining intervention strategies. While little can yet be concluded about the impact of district intervention on student achievement, some states, such as those cited here, may have important lessons to share about:
   - Developing assistance models;
   - Setting objectives for a district central office improvement process;
   - Training assistance specialists; and
   - Determining costs and benefits of employing specialists as state employees and/or independent contractors.

2. **Research and map current Massachusetts’ efforts to build capacity to intervene in low performing schools and districts.** The DOE Office of Accountability and Targeted Assistance has designed several innovative approaches for supporting low performing schools, including (1) ongoing networks for superintendents and School Support Specialists as well as (2) the Performance Improvement Mapping (PIM) process, whereby schools work with state officials toward an individualized improvement plan. Outside research could provide information on:
   - The effects of these innovations and their interaction within an assistance system;
   - Funding levels needed to bring school and district assistance to scale; and
   - How the PIM process or the district examination process might be translated for use as a framework for district support.

While Massachusetts has developed a multi-faceted assistance strategy, its components are in the experimental stages and would benefit from analysis of their implementation.

3. **Inventory current needs of district leaders.** Current district leaders, in both low and high performing districts, are resources with information about how the state can better assist schools and their central offices. District leaders can provide feedback on unmet professional development needs, contextual challenges and areas in which state assistance would be welcomed.

4. **Build partnerships with support providers.** The state should consider opportunities for building partnerships with support providers that are consistently identified as having a positive influence on school and district performance. These may be universities, professional development organizations and/or independent contractors. The state already compiles information on approved professional development providers. The next step should be to
identify specific providers that specialize in particular areas related to low performing district assistance, such as budgeting or administrative leadership. In the best case, providers would have particular domains of expertise, so that schools and districts could easily identify assistance matching their needs. The state should (1) encourage outside providers to develop their capacity to provide support at the district-level and (2) publicize the work and experience of those who have a successful track record on systems change. In these ways, the state can begin to develop the infrastructure it requires to broker an intensified level of assistance in the future. 

5. **Begin to build state capacity in areas of identified need.** Even as a comprehensive system of support at the district-level is being established, the state DOE can begin to provide targeted assistance in areas where documented, extensive need exists. One such area is data analysis and its use. This is an area that state officials, both in Massachusetts and across the nation, cite as a common weakness in low performing schools and districts. The state may (1) train consultants to teach district leaders how to answer questions with data and/or (2) provide grants to districts to develop their own data analysis capacity. Providing targeted assistance in a limited number of high leverage areas, such as data analysis, may be an interim solution that could result in substantial improvement while a comprehensive system is being developed.

**Conclusion**

The state Department of Education has traditionally been perceived as an agency whose primary purposes were distributing funds and ensuring compliance with legal regulations. The charge for the state to be a partner to schools and districts and a support for instructional improvement is an expansion of the state role, which will take considerable planning and effort to enact. The Department of Education and the Office of Educational Quality and Accountability have made the initial investment and need additional support to build their own capacity and to refine and implement assistance models, particularly at the district-level.

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