

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1546

Chapter 260, Laws of 2011

62nd Legislature
2011 Regular Session

INNOVATION SCHOOLS AND ZONES

EFFECTIVE DATE: 07/22/11

Passed by the House April 21, 2011
Yeas 96 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 20, 2011
Yeas 46 Nays 1

BRAD OWEN

President of the Senate

Approved May 5, 2011, 10:04 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1546** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 6, 2011

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1546

AS AMENDED BY THE SENATE

Passed Legislature - 2011 Regular Session

State of Washington 62nd Legislature 2011 Regular Session

By House Ways & Means (originally sponsored by Representatives Hargrove, Hunt, Dammeier, Pettigrew, Lias, Smith, Anderson, Fagan, Kretz, Dahlquist, Angel, Zeiger, Jinkins, and Finn)

READ FIRST TIME 02/25/11.

1 AN ACT Relating to authorizing creation of innovation schools and
2 innovation zones focused on science, technology, engineering, and
3 mathematics in school districts; amending RCW 28A.305.140 and
4 28A.655.180; adding new sections to chapter 28A.630 RCW; creating a new
5 section; and providing an expiration date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

8 (a) School district boards of directors are encouraged to support
9 the expansion of innovative K-12 school or K-12 program models, with a
10 priority on models focused on the arts, science, technology,
11 engineering, and mathematics (A-STEM) that partner with business,
12 industry, and higher education to increase A-STEM pathways that use
13 project-based or hands-on learning for elementary, middle, and high
14 school students; and

15 (b) Particularly in schools and communities that are struggling to
16 improve student academic outcomes and close the educational opportunity
17 gap, there is a critical need for innovative models of public
18 education, with a priority on models that are tailored to A-STEM-

1 related programs that implement interdisciplinary instructional
2 delivery methods that are engaging, rigorous, and culturally relevant
3 at each grade level.

4 (2) Therefore, the legislature intends to create a framework for
5 change that includes:

6 (a) Leveraging community assets;

7 (b) Improving staff capacity and effectiveness;

8 (c) Developing family, school, business, industry, A-STEM
9 professionals, and higher education partnerships in A-STEM education at
10 all grade levels that can lead to industry certification or dual high
11 school and college credit;

12 (d) Implementing evidence-based practices proven to be effective in
13 reducing demographic disparities in student achievement; and

14 (e) Enabling educators and parents of selected schools and school
15 districts to restructure school operations and develop model A-STEM
16 programs that will improve student performance and close the
17 educational opportunity gap.

18 NEW SECTION. **Sec. 2.** (1) The office of the superintendent of
19 public instruction shall develop a process for school districts to
20 apply to have one or more schools within the district designated as an
21 innovation school, with a priority on schools focused on the arts,
22 science, technology, engineering, and mathematics (A-STEM) that
23 actively partners with the community, business, industry, and higher
24 education, and uses project-based or hands-on learning. A group of
25 schools that share common interests, such as geographical location, or
26 that sequentially serve classes of students as they progress through
27 elementary and secondary grades may be designated as an innovation
28 zone. An innovation zone may include all schools within a school
29 district. Consortia of multiple districts may also apply for
30 designation as an innovation zone, to include all schools within the
31 participating districts.

32 (2) Applications requesting designation of innovation schools or
33 innovation zones must be developed by the school district in
34 collaboration with educators, parents, businesses, industries, and the
35 communities of participating schools. School districts must ensure
36 that each school has substantial opportunity to participate in the
37 development of the innovation plan under section 4 of this act.

1 (3) The office of the superintendent of public instruction shall
2 develop common criteria for reviewing applications and for evaluating
3 the need for waivers of state statutes and administrative rules as
4 provided under section 5 of this act.

5 NEW SECTION. **Sec. 3.** (1) Applications to designate innovation
6 schools and innovation zones must be submitted by school district
7 boards of directors to their respective educational service districts
8 by January 6, 2012, to be implemented beginning in the 2012-13 school
9 year. Innovation plans must be able to be implemented without
10 supplemental state funds.

11 (2) Each educational service district boards of directors shall
12 review applications from within the district using the common criteria
13 developed by the office of the superintendent of public instruction.
14 Each educational service district shall recommend approval by the
15 office of the superintendent of public instruction of no more than
16 three applications from within each educational service district, no
17 fewer than two of which must be focused on A-STEM-related innovations
18 and no more than one of which may focus on other innovations. However,
19 any educational service district with over three hundred fifty thousand
20 full-time equivalent students may recommend approval of no more than
21 ten applications from within the educational service district, no fewer
22 than half of which must be focused on A-STEM-related innovations and no
23 more than half of which may focus on other innovations. At least one
24 of the recommended applications in each educational service district
25 must propose an innovation zone, as long as the application meets the
26 review criteria.

27 (3) The office of the superintendent of public instruction shall
28 approve the innovation plans of the applicants recommended by the
29 educational service districts. School districts that have applied
30 shall be notified by March 1, 2012, whether they were selected.

31 (4) Designation of innovation schools and innovation zones under
32 this section shall be for a six-year period, beginning in the 2012-13
33 school year, unless the designation is revoked in accordance with
34 section 7 of this act.

35 NEW SECTION. **Sec. 4.** (1) Each application for designation of an
36 innovation school or innovation zone must include a proposed plan that:

1 (a) Defines the scope of the innovation school or innovation zone
2 and describes why designation would enhance the ability of the school
3 or schools to improve student achievement and close the educational
4 opportunity gap including by implementing a program focused on the
5 arts, science, technology, engineering, and mathematics themes that
6 partner with the community, business, industry, and higher education
7 and use project-based or hands-on learning;

8 (b) Enumerates specific, research-based activities and innovations
9 to be carried out under the designation;

10 (c) Justifies each request for waiver of state statutes or
11 administrative rules as provided under section 5 of this act;

12 (d) Justifies any requests for waiver of state statutes or
13 administrative rules that are in addition to the waivers authorized
14 under section 5 of this act that are necessary to carry out the
15 proposed innovations;

16 (e) Identifies the improvements in student achievement and the
17 educational opportunity gap that are expected to be accomplished
18 through the innovations;

19 (f) Includes budget plans and anticipated sources of funding,
20 including private grants and contributions, if any;

21 (g) Identifies the technical resources desired, the potential costs
22 of those resources, and the institutions of higher education,
23 educational service districts, businesses, industries, or consultants
24 available to provide such services;

25 (h) Identifies the multiple measures for evaluation and
26 accountability to be used to measure improvement in student
27 achievement, closure in the educational opportunity gap, and the
28 overall performance of the innovation school or innovation zone,
29 including but not limited to assessment scores, graduation rates, and
30 dropout rates;

31 (i) Includes a written statement that school directors and
32 administrators are willing to exempt the designated school or schools
33 from specifically identified local rules, as needed;

34 (j) Includes a written statement that school directors and local
35 bargaining agents will modify those portions of their local agreements
36 as applicable for the designated school or schools;

37 (k) Includes written statements of support from the district's
38 board of directors, the superintendent, the principal and staff of

1 schools seeking designation, each local employee association affected
2 by the proposal, the local parent organization, and statements of
3 support, willingness to participate, or concerns from any interested
4 parent, business, institution of higher education, or community
5 organization; and

6 (1) Commits all parties to work cooperatively during the term of
7 the pilot project.

8 (2) A plan to designate an innovation school or innovation zone
9 must be approved by a majority of the staff assigned to the school or
10 schools participating in the plan.

11 NEW SECTION. **Sec. 5.** (1)(a) The superintendent of public
12 instruction and the state board of education, each within the scope of
13 their statutory authority, may grant waivers of state statutes and
14 administrative rules for designated innovation schools and innovation
15 zones as follows:

16 (i) Waivers may be granted under RCW 28A.655.180 and 28A.305.140;

17 (ii) Waivers may be granted to permit the commingling of funds
18 appropriated by the legislature on a categorical basis for such
19 programs as, but not limited to, highly capable students, transitional
20 bilingual instruction, and learning assistance; and

21 (iii) Waivers may be granted of other administrative rules that in
22 the opinion of the superintendent of public instruction or the state
23 board of education are necessary to be waived to implement an
24 innovation school or innovation zone.

25 (b) State administrative rules dealing with public health, safety,
26 and civil rights, including accessibility for individuals with
27 disabilities, may not be waived.

28 (2) At the request of a school district, the superintendent of
29 public instruction may petition the United States department of
30 education or other federal agencies to waive federal regulations
31 necessary to implement an innovation school or innovation zone.

32 (3) The state board of education may grant waivers for innovation
33 schools or innovation zones of administrative rules pertaining to
34 calculation of course credits for high school courses.

35 (4) Waivers may be granted under this section for a period not to
36 exceed the duration of the designation of the innovation school or
37 innovation zone.

1 (5) The superintendent of public instruction and the state board of
2 education shall provide an expedited review of requests for waivers for
3 designated innovation schools and innovation zones. Requests may be
4 denied if the superintendent of public instruction or the state board
5 of education conclude that the waiver:

6 (a) Is likely to result in a decrease in academic achievement in
7 the innovation school or innovation zone;

8 (b) Would jeopardize the receipt of state or federal funds that a
9 school district would otherwise be eligible to receive, unless the
10 school district submits a written authorization for the waiver
11 acknowledging that receipt of these funds could be jeopardized; or

12 (c) Would violate state or federal laws or rules that are not
13 authorized to be waived.

14 NEW SECTION. **Sec. 6.** (1) The office of the superintendent of
15 public instruction shall report to the education committees of the
16 legislature on the progress of the designated innovation schools and
17 innovation zones by January 15, 2013, and January 15th of each odd-
18 numbered year thereafter. The report must include recommendations for
19 waiver of state laws and administrative rules in addition to the
20 waivers authorized under section 5 of this act, as identified in
21 innovation plans submitted by school districts.

22 (2) Each innovation school and innovation zone must submit an
23 annual report to the office of the superintendent of public instruction
24 on their progress.

25 (3) The office of the superintendent of public instruction, through
26 the center for the improvement of student learning, must collect and
27 disseminate to all school districts and other interested parties
28 information about the innovation schools and innovation zones.

29 NEW SECTION. **Sec. 7.** After reviewing the annual reports of each
30 innovation school and zone, if the office of the superintendent of
31 public instruction determines that the school or zone is not increasing
32 progress over time as determined by the multiple measures for
33 evaluation and accountability provided in the school or zone plan in
34 accordance with section 4 of this act then the superintendent shall
35 revoke the designation.

1 **Sec. 8.** RCW 28A.305.140 and 1990 c 33 s 267 are each amended to
2 read as follows:

3 (1) The state board of education may grant waivers to school
4 districts from the provisions of RCW 28A.150.200 through 28A.150.220 on
5 the basis that such waiver or waivers are necessary to:

6 (a) Implement successfully a local plan to provide for all students
7 in the district an effective education system that is designed to
8 enhance the educational program for each student. The local plan may
9 include alternative ways to provide effective educational programs for
10 students who experience difficulty with the regular education program;
11 or

12 (b) Implement an innovation school or innovation zone designated
13 under section 3 of this act.

14 (2) The state board shall adopt criteria to evaluate the need for
15 the waiver or waivers.

16 **Sec. 9.** RCW 28A.655.180 and 2009 c 543 s 3 are each amended to
17 read as follows:

18 (1) The state board of education, where appropriate, or the
19 superintendent of public instruction, where appropriate, may grant
20 waivers to districts from the provisions of statutes or rules relating
21 to: The length of the school year; student-to-teacher ratios; and
22 other administrative rules that in the opinion of the state board of
23 education or the opinion of the superintendent of public instruction
24 may need to be waived in order for a district to implement a plan for
25 restructuring its educational program or the educational program of
26 individual schools within the district or to implement an innovation
27 school or innovation zone designated under section 3 of this act.

28 (2) School districts may use the application process in RCW
29 28A.305.140 to apply for the waivers under this section.

30 NEW SECTION. **Sec. 10.** Sections 2 through 7 of this act are each
31 added to chapter 28A.630 RCW.

32 NEW SECTION. **Sec. 11.** This act expires June 30, 2019.

Passed by the House April 21, 2011.

Passed by the Senate April 20, 2011.

Approved by the Governor May 5, 2011.

Filed in Office of Secretary of State May 6, 2011.