

E2SHB 1546 - S AMD 395

By Senators McAuliffe, Litzow

ADOPTED 04/20/2011

1 Strike everything after the enacting clause and insert the
2 following:

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

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

11 (b) Particularly in schools and communities that are struggling to
12 improve student academic outcomes and close the educational opportunity
13 gap, there is a critical need for innovative models of public
14 education, with a priority on models that are tailored to A-STEM-
15 related programs that implement interdisciplinary instructional
16 delivery methods that are engaging, rigorous, and culturally relevant
17 at each grade level.

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

20 (a) Leveraging community assets;

21 (b) Improving staff capacity and effectiveness;

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

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

28 (e) Enabling educators and parents of selected schools and school
29 districts to restructure school operations and develop model A-STEM

1 programs that will improve student performance and close the
2 educational opportunity gap.

3 NEW SECTION. **Sec. 2.** (1) The office of the superintendent of
4 public instruction shall develop a process for school districts to
5 apply to have one or more schools within the district designated as an
6 innovation school, with a priority on schools focused on the arts,
7 science, technology, engineering, and mathematics (A-STEM) that
8 actively partners with the community, business, industry, and higher
9 education, and uses project-based or hands-on learning. A group of
10 schools that share common interests, such as geographical location, or
11 that sequentially serve classes of students as they progress through
12 elementary and secondary grades may be designated as an innovation
13 zone. An innovation zone may include all schools within a school
14 district. Consortia of multiple districts may also apply for
15 designation as an innovation zone, to include all schools within the
16 participating districts.

17 (2) Applications requesting designation of innovation schools or
18 innovation zones must be developed by the school district in
19 collaboration with educators, parents, businesses, industries, and the
20 communities of participating schools. School districts must ensure
21 that each school has substantial opportunity to participate in the
22 development of the innovation plan under section 4 of this act.

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

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

33 (2) Each educational service district boards of directors shall
34 review applications from within the district using the common criteria
35 developed by the office of the superintendent of public instruction.
36 Each educational service district shall recommend approval by the

1 office of the superintendent of public instruction of no more than
2 three applications from within each educational service district, no
3 fewer than two of which must be focused on A-STEM-related innovations
4 and no more than one of which may focus on other innovations. However,
5 any educational service district with over three hundred fifty thousand
6 full-time equivalent students may recommend approval of no more than
7 ten applications from within the educational service district, no fewer
8 than half of which must be focused on A-STEM-related innovations and no
9 more than half of which may focus on other innovations. At least one
10 of the recommended applications in each educational service district
11 must propose an innovation zone, as long as the application meets the
12 review criteria.

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

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

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

23 (a) Defines the scope of the innovation school or innovation zone
24 and describes why designation would enhance the ability of the school
25 or schools to improve student achievement and close the educational
26 opportunity gap including by implementing a program focused on the
27 arts, science, technology, engineering, and mathematics themes that
28 partner with the community, business, industry, and higher education
29 and use project-based or hands-on learning;

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

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

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

1 (e) Identifies the improvements in student achievement and the
2 educational opportunity gap that are expected to be accomplished
3 through the innovations;

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

6 (g) Identifies the technical resources desired, the potential costs
7 of those resources, and the institutions of higher education,
8 educational service districts, businesses, industries, or consultants
9 available to provide such services;

10 (h) Identifies the multiple measures for evaluation and
11 accountability to be used to measure improvement in student
12 achievement, closure in the educational opportunity gap, and the
13 overall performance of the innovation school or innovation zone,
14 including but not limited to assessment scores, graduation rates, and
15 dropout rates;

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

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

22 (k) Includes written statements of support from the district's
23 board of directors, the superintendent, the principal and staff of
24 schools seeking designation, each local employee association affected
25 by the proposal, the local parent organization, and statements of
26 support, willingness to participate, or concerns from any interested
27 parent, business, institution of higher education, or community
28 organization; and

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

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

34 NEW SECTION. **Sec. 5.** (1)(a) The superintendent of public
35 instruction and the state board of education, each within the scope of
36 their statutory authority, may grant waivers of state statutes and

1 administrative rules for designated innovation schools and innovation
2 zones as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 NEW SECTION. **Sec. 7.** After reviewing the annual reports of each
17 innovation school and zone, if the office of the superintendent of
18 public instruction determines that the school or zone is not increasing
19 progress over time as determined by the multiple measures for
20 evaluation and accountability provided in the school or zone plan in
21 accordance with section 4 of this act then the superintendent shall
22 revoke the designation.

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

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

28 (a) Implement successfully a local plan to provide for all students
29 in the district an effective education system that is designed to
30 enhance the educational program for each student. The local plan may
31 include alternative ways to provide effective educational programs for
32 students who experience difficulty with the regular education program;
33 or

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

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

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

5 (1) The state board of education, where appropriate, or the
6 superintendent of public instruction, where appropriate, may grant
7 waivers to districts from the provisions of statutes or rules relating
8 to: The length of the school year; student-to-teacher ratios; and
9 other administrative rules that in the opinion of the state board of
10 education or the opinion of the superintendent of public instruction
11 may need to be waived in order for a district to implement a plan for
12 restructuring its educational program or the educational program of
13 individual schools within the district or to implement an innovation
14 school or innovation zone designated under section 3 of this act.

15 (2) School districts may use the application process in RCW
16 28A.305.140 to apply for the waivers under this section.

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

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

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By Senators McAuliffe, Litzow

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20 On page 1, line 1 of the title, after "to" strike the remainder of
21 the title and insert "authorizing creation of innovation schools and
22 innovation zones focused on science, technology, engineering, and
23 mathematics in school districts; amending RCW 28A.305.140 and
24 28A.655.180; adding new sections to chapter 28A.630 RCW; creating a new
25 section; and providing an expiration date."

EFFECT: (1) Includes the Arts along with STEM as a priority focus (A-STEM).

(2) Allows ESDs to recommend not fewer than 2/3 A-STEM-focused plans and not more than 1/3 non-A-STEM-focused plan. The ESD that recommends up to 10 plans must recommend not fewer than half A-STEM plans and not more than half non-A-STEM plans.

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