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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO EDUCATION -- INNOVATION SCHOOLS

Introduced By: Representative Sherry Roberts

Date Introduced: February 28, 2024

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by
2 adding thereto the following chapter:

3 CHAPTER 77.5

4 INNOVATION SCHOOLS

5 **16-77.5-1. Establishment and purpose of innovation schools.**

6 An innovation school shall be a public school, operating within a public school district,
7 that is established for the purpose of improving school performance and student achievement
8 through increased autonomy and flexibility. An innovation school may be established as a new
9 public school or as a conversion of an existing public school. A student who is enrolled in a school
10 at the time it is established as an innovation school shall retain the ability to remain enrolled in the
11 school if the student chooses to do so.

12 **16-77.5-2. Advisory board.**

13 (a) An innovation school may establish an advisory board of trustees.

14 (1) An innovation school shall have increased autonomy and flexibility in one or more of
15 the following areas:

16 (i) Curriculum;

17 (ii) Budget;

18 (iii) School schedule and calendar;

19 (iv) Staffing policies and procedures, including waivers from or modifications to, contracts

1 or collective bargaining agreements;

2 (v) School district policies and procedures; and

3 (vi) Professional development.

4 (2) An innovation school shall receive each school year from the school committee the
5 same per pupil allocation as any other district school receives. An innovation school may retain
6 any unused funds and use the funds in subsequent school years. An innovation school may establish
7 a nonprofit organization that may, among other things, assist the school with fundraising. A district
8 shall not reduce its funding to an innovation school as a result of the school's fundraising activities.

9 **16-77.5-3. Innovation plan.**

10 (a) An innovation school established under this chapter shall be authorized by the local
11 school committee and shall operate according to an innovation plan, which shall articulate the areas
12 of autonomy and flexibility under this chapter.

13 (1) To the extent practicable, the innovation plan shall be based on student outcome data,
14 including, but not limited to:

15 (i) Student achievement on the Rhode Island comprehensive assessment system;

16 (ii) Other measures of student achievement, approved by the commissioner, as appropriate;

17 (iii) Student promotion, graduation rates and dropout rates;

18 (iv) Achievement data for different subgroups of students, including low-income residents
19 as defined by § 45-24.2-2, English language learners, and students receiving special education
20 services; and

21 (v) Student attendance, dismissal rates and exclusion rates.

22 (2) An innovation school shall operate in accordance with the law regulating other public
23 schools, except as the law conflicts with this section or any innovation plans created thereunder.

24 (b) An innovation school is a school in which:

25 (1) Faculty and leadership are primarily responsible for developing the innovation plan
26 under which the school operates and leadership is responsible for meeting the terms of the
27 innovation plan; or

28 (2) An external partner is primarily responsible for developing the innovation plan under
29 which the school operates and the external partner is responsible for meeting the terms of the
30 innovation plan.

31 (c) Nothing in this section shall be construed to prohibit:

32 (1) The establishment of an innovation school as an academy within an existing public
33 school;

34 (2) The establishment of an innovation school serving students from two (2) or more school

1 districts; provided, however, that all of the provisions of this section are met by each school district;
2 or

3 (3) The simultaneous establishment of two (2) or more innovation schools as an innovation
4 schools zone within a school district.

5 **16-77.5-4. Eligible applicants.**

6 (a) The following shall be eligible applicants for the purposes of establishing an innovation
7 school:

8 (1) Parents;

9 (2) Teachers;

10 (3) Parent-teacher organizations;

11 (4) Principals;

12 (5) Superintendents;

13 (6) School committees;

14 (7) Teacher unions;

15 (8) Colleges and universities;

16 (9) Nonprofit community-based organizations;

17 (10) Nonprofit business or corporate entities;

18 (11) Nonprofit charter school operators;

19 (12) Nonprofit education management organizations;

20 (13) Educational collaboratives;

21 (14) Consortia of these groups; and

22 (15) Nonprofit entities authorized by the commissioner. Private and parochial schools shall
23 not be eligible to operate an innovation school.

24 **16-77.5-5. Procedure to establish an innovation school.**

25 (a) The local school committee, local teacher's union and superintendent of the school
26 district shall follow a process, consistent with this chapter, for which an existing district school
27 may be converted to an innovation school or by which a new innovation school may be established
28 within the district.

29 (1) This process shall require that an eligible applicant proposing to establish an innovation
30 school prepare a prospectus regarding the proposed school. The prospectus shall include, but not
31 be limited to, a description of:

32 (i) Whether the school will be a new school or a conversion of an existing school;

33 (ii) If the school is a new school, the proposed location of the school;

34 (iii) If the school is a conversion of an existing school, the school that is being proposed

1 for conversion:

2 (iv) The external partners, if any, that will be involved in the school;

3 (v) The number of students the school is anticipated to serve and the number of staff

4 expected to be employed at the school;

5 (vi) The overall vision for the school, including improving school performance and student

6 achievement;

7 (vii) Specific needs or challenges the school shall be designed to address;

8 (viii) A preliminary assessment of the autonomy and flexibility that the school will seek;

9 (ix) Why such flexibility is desirable to carry out the objectives of the school;

10 (x) Anticipated components of the school's innovation plan;

11 (xi) A preliminary description of the process that shall be used to involve appropriate

12 stakeholders in the development of the innovation plan; and

13 (xii) A proposed timetable for development and establishment of the proposed school.

14 (b) Upon completion of the prospectus required under subsection (a) of this section, an

15 eligible applicant shall submit the prospectus to the superintendent, who shall within thirty (30)

16 days convene a screening committee consisting of the superintendent, or designee, a school

17 committee member, or designee selected by the school committee and a representative from the

18 leadership of the local teacher's union.

19 (1) The screening committee shall review the prospectus for the purpose of determining

20 whether the prospectus:

21 (i) Presents a sound and coherent plan for improving school performance and student

22 achievement;

23 (ii) Supports or enhances existing educational efforts in the school district; and

24 (iii) Reasonably can be expanded into a comprehensive innovation plan. In the case of a

25 new school, the committee will prepare an impact statement describing how the new school will

26 affect the children and faculty in the district.

27 (2) Within thirty (30) days of receiving a prospectus, the screening committee shall decide,

28 on the basis of a two-thirds (2/3) vote, to accept or reject the prospectus, or return the prospectus

29 to the eligible applicant for revisions. If a prospectus is rejected or returned, the screening

30 committee shall submit a detailed explanation for the decision to the applicant. A prospectus that

31 is rejected or returned may be revised and resubmitted for subsequent consideration.

32 (c)(1) Upon the acceptance of a prospectus by the screening committee, the applicant shall

33 form an innovation plan committee of not more than eleven (11) members within thirty (30) days.

34 (2) The purpose of the innovation plan committee shall be to:

- 1 (i) Develop the innovation plan described in this chapter;
- 2 (ii) Assure that appropriate stakeholders are represented in the development of the
3 proposed innovation school; and
- 4 (iii) Provide meaningful opportunities for the stakeholders to contribute to the development
5 of such school.
- 6 (d)(1) The size and composition of the innovation plan committee shall be determined by
7 the applicant; provided, however, that the committee shall include:
- 8 (i) The applicant;
- 9 (ii) The superintendent or designee;
- 10 (iii) A school committee member or designee;
- 11 (iv) A parent who has one or more children enrolled in the school, or in the case of a new
12 school, from the school district;
- 13 (v) A principal employed by the school district; and
- 14 (vi) Two (2) teachers employed by the school district. The applicant shall select the parent
15 from among nominees submitted by parent-teacher organizations in the school district. If the school
16 district does not contain a parent-teacher organization or if the organization does not submit
17 nominees, the applicant shall select the parent from among volunteers in the area or community the
18 proposed school is expected to serve. The applicant shall select the principal and one teacher from
19 among volunteers in the school district and one teacher from among nominees submitted by the
20 local teacher's union.
- 21 (e)(1) Upon the formation of the innovation plan committee, the committee shall develop
22 the innovation plan for the proposed innovation school. The purpose of the innovation plan shall
23 be to comprehensively articulate the areas of autonomy and flexibility that the proposed school will
24 use.
- 25 (2) The innovation plan shall include, but not be limited to:
- 26 (i) A curriculum plan, which shall include a detailed description of the curriculum and
27 related programs for the proposed school and how the curriculum is expected to improve school
28 performance and student achievement;
- 29 (ii) A budget plan, which shall include a detailed description of how funds shall be used
30 differently in the proposed school to support school performance and student achievement;
- 31 (iii) A school schedule plan, which shall include a detailed description of the ways, if any,
32 the program or calendar of the proposed school will be enhanced or expanded;
- 33 (iv) A staffing plan, which shall include a detailed description of how the school principal,
34 administrators, faculty and staff will be recruited, employed, evaluated and compensated in the

1 proposed school and any proposed waivers or modifications of collective bargaining agreements:

2 (v) A policy and procedures plan, which shall include a detailed description of the unique
3 operational policies and procedures to be used by the proposed school and how the procedures shall
4 support school performance and student achievement; and

5 (vi) A professional development plan, which shall include a detailed description of how
6 the school may provide high-quality professional development to its administrators, teachers and
7 staff.

8 (3) In order to assess the proposed school across multiple measures of school performance
9 and student success, the innovation plan shall also include measurable annual goals including, but
10 not limited to, the following:

11 (i) Student attendance;

12 (ii) Student safety and discipline;

13 (iii) Student promotion and graduation and dropout rates;

14 (iv) Student achievement on the Rhode Island comprehensive assessment system;

15 (v) Progress in areas of academic underperformance; and

16 (vi) Progress among subgroups of students, including low-income residents as defined by
17 § 45-24.2-2.

18 (4) A majority vote of the innovation plan committee shall be required for approval of the
19 innovation

20 (f) The provisions of the collective bargaining agreements applicable to the administrators,
21 teachers and staff in the school shall be considered to be in operation at an innovation school, except
22 to the extent the provisions are waived or modified under the innovation plan and such waivers or
23 modifications are approved

24 (g) In the case of a school conversion, upon completion of the innovation plan the applicant
25 shall submit the innovation plan to teachers in the school that is proposed for conversion for
26 approval by secret ballot within thirty (30) days. A two-thirds (2/3) vote of the teachers shall be
27 required to approve the plan. Upon approval of an innovation plan by the applicable union members
28 the plan shall, within seven (7) days, be submitted to the school committee. If a two-thirds (2/3)
29 vote is not achieved, the innovation plan committee may revise the innovation plan as necessary
30 and submit the revised plan to the teachers for a subsequent vote.

31 **16-77.5-6. School committee approval - New schools.**

32 (a) In the case of a new school, upon the completion of the innovation plan the applicant,
33 a local union and the superintendent shall negotiate waivers or modifications to the applicable
34 collective bargaining agreement necessary for the school to implement the innovation plan. Upon

1 the conclusion of the negotiations, the innovation plan shall be submitted immediately to the school
2 committee. If the negotiations have not resulted in an agreement within forty (40) days, either party
3 may petition the department of labor and training (the "department") relations for the selection of
4 an arbitrator. The department shall select an arbitrator within three (3) days of the petition from a
5 list submitted by the parties. The arbitrator shall conduct a hearing within fourteen (14) days of the
6 arbitrator's selection. The arbitrator shall consider the parties' positions and the needs of the students
7 in the district. The arbitrator's decision shall be consistent with the contents of the innovation plan
8 developed by the applicant. The arbitrator shall, within fourteen (14) days of the close of the
9 hearing, submit a decision which shall be final and binding on the parties.

10 (b) Upon receipt of an innovation plan regarding an innovation school, a school committee
11 shall hold at least one public hearing on the innovation plan. After the public hearing, but not later
12 than sixty (60) days after the receipt of the innovation plan, the school committee shall, on the basis
13 of the quality of the plan and in consideration of comments submitted by the public, undertake a
14 final vote to authorize the innovation school for a period of not more than five (5) years. Approval
15 of the majority of the school committee as fully constituted shall be required to authorize an
16 innovation school. If the approval is not obtained, an innovation plan committee may revise the
17 innovation plan and:

18 (1) In the case of a new school, submit the revised plan to the school committee for a
19 subsequent vote; or

20 (2) In the case of a conversion, submit the revised plan to the teachers in the school that is
21 proposed for conversion for a vote; provided, however, that the plan meets the requirements for
22 approval, submit the revised plan to the school committee for a subsequent vote. A school
23 committee shall vote on a revised plan submitted pursuant to this subsection within sixty (60) days
24 of the receipt of such plan and contract.

25 (c) All innovation schools authorized shall be evaluated by the superintendent at least
26 annually. The superintendent shall transmit the evaluation to the school committee and the
27 commissioner of elementary and secondary education. The purpose of the evaluation shall be to
28 determine whether the school has met the annual goals in its innovation plan and assess the
29 implementation of the innovation plan at the school. If the school committee determines, on the
30 advice of the superintendent, that the school has not met one or more goals in the innovation plan
31 and that the failure to meet the goals may be corrected through reasonable modification of the plan,
32 the school committee may amend the innovation plan as necessary. After the superintendent
33 assesses the implementation of the innovation plan at the school, the school committee may, on the
34 advice of the superintendent, amend the plan if the school committee determines that the

1 amendment is necessary in view of subsequent changes in the district that affect one or more
2 components of the plan, including, but not limited to, changes to contracts, collective bargaining
3 agreements or school district policies; provided, however, that an amendment involving a
4 subsequent change to a teacher contract shall first be approved by teachers at the school under the
5 procedures in this chapter.

6 (d) If the school committee determines, on the advice of the superintendent, that the school
7 has substantially failed to meet multiple goals in the innovation plan, the school committee may:

8 (1) Limit one or more components of the innovation plan;

9 (2) Suspend one or more components of the innovation plan; or

10 (3) Terminate the authorization of the school; provided, however, that the limitation or
11 suspension shall not take place before the completion of the second full year of the operation of the
12 school and the termination shall not take place before the completion of the third full year of the
13 operation of the school.

14 **16-77.5-7. Extension of authorization.**

15 (a) At the end of the period of authorization of an innovation school approved here under,
16 the leadership of the school may petition the school committee to extend the authorization of the
17 school for an additional period of not more than five (5) years. Before submitting the petition, the
18 leadership of the school shall convene a selection of school stakeholders, including, but not limited
19 to, administrators, teachers, other school staff, parents and external partners, as applicable, to
20 discuss whether the innovation plan at the school requires revision and to solicit recommendations
21 as to the potential revisions. After considering the recommendations of the stakeholder group, the
22 leadership of the school and the applicable superintendent shall jointly update the innovation plan
23 as necessary; provided, however, that a proposal regarding a new waiver or exemption from the
24 local teacher's union contract shall be approved by teachers at the school. Approval of the majority
25 of the school committee as fully constituted shall be required to extend the period of authorization
26 of an innovation school. If the approval is not obtained, the leadership of the school and
27 superintendent may jointly revise the innovation plan and submit the revised plan to the school
28 committee for a subsequent vote. If the school committee does not extend the authorization of the
29 school, the leadership of the school may seek the authorization from the board of elementary and
30 secondary education. The board shall vote on the requested extension within sixty (60) days of its
31 receipt for approval of such extension.

32 (b) The commissioner of elementary and secondary education (the "commissioner") shall,
33 to the extent practicable, be responsible for the following:

34 (1) The provision of planning and implementation grants to eligible applicants to establish

1 innovation schools;

2 (2) Provision of technical assistance and support to eligible applicants;

3 (3) The collection and publication of data and research related to the innovation schools

4 initiative;

5 (4) The collection and publication of data and research related to successful programs

6 serving English language learners attending innovation schools; and

7 (5) The collection and dissemination of best practices in innovation schools that may be

8 adopted by other public schools.

9 (c) The board of education shall promulgate regulations necessary to carry out this section.

10 Annually, the commissioner shall report to the board of education, the house and senate committees

11 on education, the speaker of the house of representatives, and the senate president, on the

12 implementation and fiscal impact of this section.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- INNOVATION SCHOOLS

1 This act would allow for the establishment of innovation schools for the purpose of
2 improving school performance and student achievement through increased autonomy and
3 flexibility.

4 This act would take effect upon passage.

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