

IN THE SENATE

SENATE BILL NO. 1291, As Amended

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO THE SCHOOL TURNAROUND ACT; AMENDING TITLE 33, IDAHO CODE, BY
2 THE ADDITION OF A NEW CHAPTER 61, TITLE 33, IDAHO CODE, TO PROVIDE A
3 SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR THE DESIGNATION
4 OF LOW-PERFORMING SCHOOLS, TO PROVIDE FOR A CERTAIN COMMITTEE, TO ES-
5 TABLISH PROVISIONS REGARDING INDEPENDENT SCHOOL TURNAROUND EXPERTS,
6 TO ESTABLISH PROVISIONS REGARDING SCHOOL TURNAROUND PLANS, TO PROVIDE
7 DUTIES FOR THE GOVERNING AUTHORITIES OF CERTAIN SCHOOLS, TO ESTABLISH
8 PROVISIONS REGARDING FAILURE OF LOW-PERFORMING SCHOOLS TO IMPROVE, TO
9 ESTABLISH THE SCHOOL RECOGNITION AND REWARD PROGRAM, TO ESTABLISH THE
10 SCHOOL LEADERSHIP DEVELOPMENT PROGRAM, TO PROVIDE FOR CERTAIN REPORTS,
11 TO ESTABLISH PROVISIONS REGARDING PUBLIC CHARTER SCHOOLS, TO PROVIDE
12 RULEMAKING AUTHORITY, AN APPEALS PROCESS AND DUTIES OF THE STATE DE-
13 PARTMENT OF EDUCATION AND TO PROVIDE SEVERABILITY.
14

15 Be It Enacted by the Legislature of the State of Idaho:

16 SECTION 1. That Title 33, Idaho Code, be, and the same is hereby amended
17 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
18 ter 61, Title 33, Idaho Code, and to read as follows:

19 CHAPTER 61
20 SCHOOL TURNAROUND ACT

21 33-6101. SHORT TITLE. This chapter shall be known and may be cited as
22 the "School Turnaround Act."

23 33-6102. DEFINITIONS. As used in this chapter:

24 (1) "Accountability oversight committee" means the accountability
25 oversight committee of the state board of education.

26 (2) "Board" means the state board of education.

27 (3) "Comprehensive needs assessment" means a process to determine and
28 measure the discrepancy between the current condition and the desired con-
29 dition of a low-performing school, an examination of the nature and causes
30 of the discrepancy and recommended prioritized actions necessary to rectify
31 the discrepancy.

32 (4) "Governing authority" means the board of trustees of a school dis-
33 trict or the board of directors of a public charter school.

34 (5) "Independent school turnaround expert" or "expert" means a person
35 or an organization retained to develop and implement a school turnaround
36 plan pursuant to sections 33-6104 and 33-6105, Idaho Code.

37 (6) "Initial remedial year" means the school year in which a school is
38 designated a low-performing school pursuant to section 33-6103, Idaho Code.

39 (7) "Low-performing school" means a school designated as such pursuant
40 to section 33-6103, Idaho Code.

- 1 (8) "School" means a public school or a public charter school.
2 (9) "School turnaround committee" means a committee established pur-
3 suant to section 33-6104, Idaho Code.
4 (10) "School turnaround plan" or "plan" means a plan to improve a low-
5 performing school as further described in section 33-6106, Idaho Code.

6 33-6103. DESIGNATION OF LOW-PERFORMING SCHOOLS. Beginning in 2018, on
7 or before July 15 of each year, the accountability oversight committee shall
8 designate low-performing schools from among those schools that are in the
9 lowest-performing five percent (5%) according to performance standards es-
10 tablished by the board.

11 33-6104. SCHOOL TURNAROUND COMMITTEE. (1) On or before October 1 of an
12 initial remedial year, the governing authority of a low-performing school
13 shall decide whether the school will participate in a school turnaround plan
14 as provided in this chapter and, if the school will participate, shall ap-
15 point a school turnaround committee composed of the following members:
16 (a) A trustee from the trustee zone where the low-performing school is
17 located, if the governing authority is the board of trustees of a school
18 district; or a member of the board of directors, if the governing au-
19 thority is the board of directors of a public charter school;
20 (b) The principal of the low-performing school;
21 (c) Three (3) parents of students enrolled at the low-performing
22 school;
23 (d) Three (3) teachers who work at the low-performing school;
24 (e) Two (2) community members; and
25 (f) The superintendent of the school district, if the low-performing
26 school is part of a school district; or another member of the board of
27 directors, if the low-performing school is a public charter school.
28 (2) On or before October 30 of an initial remedial year, the governing
29 authority and the school turnaround committee shall select an independent
30 school turnaround expert, which expert shall, in cooperation with the school
31 turnaround committee, develop and implement a school turnaround plan.

32 33-6105. INDEPENDENT SCHOOL TURNAROUND EXPERTS. (1) On or before Au-
33 gust 30 of each year, the board shall identify two (2) or more approved inde-
34 pendent school turnaround experts through a request for proposals process.
35 A governing board and a school turnaround committee shall select an expert
36 from among those experts identified by the board.
37 (2) To be approved by the board, an expert must:
38 (a) Have a credible track record of improving student academic achieve-
39 ment in public schools with various demographic characteristics as mea-
40 sured by statewide assessments;
41 (b) Have experience designing, implementing and evaluating data-
42 driven instructional systems in public schools;
43 (c) Have experience coaching public school administrators and teachers
44 on designing data-driven school improvement plans;
45 (d) Have experience working with the various entities that govern pub-
46 lic schools;

1 (e) Have experience delivering high-quality professional development
2 in instructional effectiveness to public school administrators and
3 teachers;

4 (f) Be willing to be compensated for professional services based on
5 performance; and

6 (g) Be willing to work with any low-performing school in the state, re-
7 gardless of location.

8 (3) Once an expert is selected by a governing authority and a school
9 turnaround committee, the board shall award a contract to the expert. The
10 contract shall specify a payment schedule and payment conditions for the ex-
11 pert.

12 (a) No less than twenty-five percent (25%) nor more than sixty percent
13 (60%) of the expert's professional fees may be paid during the expert's
14 work under the contract.

15 (b) The remainder of the expert's professional fees will be paid when
16 the expert successfully assists a low-performing school in improving
17 the school's performance, according to criteria established by the
18 board, within two (2) years after the initial remedial year.

19 (4) In negotiating a contract with an expert, the board shall offer:

20 (a) Differentiated amounts of funding based on student enrollment; and

21 (b) A higher amount of funding for those schools that are lowest-per-
22 forming according to the accountability oversight committee.

23 (5) The expert's contractual duties shall include:

24 (a) Collecting and analyzing data on the low-performing school's
25 student achievement, personnel, culture, curriculum, assessments, in-
26 structional practices, governance, leadership, finances, reputation
27 and policies;

28 (b) Conducting a comprehensive needs assessment during the initial re-
29 medial year for the low-performing school, which assessment shall in-
30 clude recommended changes to the low-performing school's culture, cur-
31 riculum, assessments, instructional practices, governance, finances,
32 reputation, policies, or other areas based on data collected pursuant
33 to paragraph (a) of this subsection;

34 (c) Developing and implementing, in partnership with the committee,
35 a school turnaround plan that meets the criteria provided in section
36 33-6106, Idaho Code;

37 (d) Monitoring the effectiveness of the plan through reliable means
38 of evaluation including, but not limited to, on-site visits, observa-
39 tions, surveys, analysis of student achievement data and interviews;

40 (e) Providing ongoing implementation support and project management
41 for a school turnaround plan;

42 (f) Providing high-quality professional development personalized for
43 school staff that is designed to improve the:

44 (i) Leadership capacity of the school principal; and

45 (ii) Instructional capacity of the school staff;

46 (g) Leveraging support from community partners to coordinate the effi-
47 cient delivery of support to students both inside and outside the class-
48 room;

1 (h) Collaborating as needed with school turnaround staff at the state
2 department of education, as designated pursuant to section 33-6113(3),
3 Idaho Code; and

4 (i) Reporting to the accountability oversight committee on progress
5 under the school turnaround plan according to a schedule established in
6 the contract or at the request of the accountability oversight commit-
7 tee.

8 (6) The governing authority and the school turnaround committee may not
9 select an independent school turnaround expert who is a member of the govern-
10 ing authority or employed by the governing authority.

11 33-6106. SCHOOL TURNAROUND PLAN. (1) A school turnaround plan shall
12 include:

13 (a) The findings and recommendations of the comprehensive needs as-
14 sessment conducted by the independent school turnaround expert as
15 described in section 33-6105, Idaho Code;

16 (b) Measurable student achievement goals and objectives;

17 (c) A professional development strategy that addresses problems of in-
18 structional practice;

19 (d) A detailed budget specifying how the school turnaround plan will be
20 funded;

21 (e) A strategy to assess and monitor progress;

22 (f) A strategy to communicate and report data on progress to stakehold-
23 ers; and

24 (g) A timeline for implementation.

25 (2) On or before January 1 of an initial remedial year, the school turn-
26 around committee shall submit the school turnaround plan to the governing
27 authority for approval.

28 (3) On or before February 1 of an initial remedial year, the govern-
29 ing authority shall submit the school turnaround plan to the accountability
30 oversight committee for approval, except as provided in subsection (4) of
31 this section.

32 (4) If the governing authority does not approve the school turnaround
33 plan, the school turnaround committee may appeal the disapproval in accor-
34 dance with rules established by the board.

35 (5) The accountability oversight committee shall review a school turn-
36 around plan submitted for approval pursuant to this section within thirty
37 (30) days of submission. The accountability oversight committee shall ap-
38 prove a plan that:

39 (a) Is timely;

40 (b) Is well-developed; and

41 (c) Meets the criteria established in subsection (1) of this section.

42 (6) Subject to appropriation, the board shall provide funding to a low-
43 performing school for interventions identified in an approved school turn-
44 around plan if the governing authority provides matching funds of up to fifty
45 percent (50%) or an in-kind contribution of goods or services in an amount
46 equal to the funding the low-performing school would receive from the board.

1 33-6107. SCHOOL TURNAROUND -- DUTIES OF GOVERNING AUTHORITY. In addi-
2 tion to other duties established in this chapter, the governing authority of
3 a low-performing school:

4 (1) Shall prioritize funding and resources to the low-performing
5 school; and

6 (2) May exercise authority over staff, schedule, policies, budget and
7 academic programs to implement the school turnaround plan.

8 33-6108. FAILURE TO IMPROVE. (1) A low-performing school that par-
9 ticipates in a school turnaround plan but does not improve its performance,
10 according to criteria established by the board, within two (2) years after
11 the initial remedial year may be granted an extension by the accountability
12 oversight committee for up to two (2) years to continue school improvement
13 efforts. To be granted an extension, the school must demonstrate to the ac-
14 countability oversight committee's satisfaction that improvement is likely
15 with an extension.

16 (2) The board may extend or change the contract of an independent school
17 turnaround expert working with a low-performing school that has been granted
18 an extension or, at the request of the governing authority and the school
19 turnaround committee, may enter a contract with another school turnaround
20 expert.

21 (3) A school granted an extension is eligible for:

22 (a) Continued funding pursuant to section 33-6106, Idaho Code; and

23 (b) The school recognition and reward program established by section
24 33-6109, Idaho Code.

25 (4) A school that fails to improve, according to criteria established
26 by the board, within two (2) years after being granted an extension, or a
27 school that fails to improve and is not granted an extension, will be re-
28 ferred to the accountability oversight committee for recommendations on
29 further action regarding the school, including options to increase or reduce
30 funds and resources allocated to the school.

31 33-6109. SCHOOL RECOGNITION AND REWARD PROGRAM. (1) The board shall
32 establish in rule criteria for measuring improvement in low-performing
33 schools.

34 (2) Subject to available funding, the board shall annually distribute
35 monetary rewards to:

36 (a) Low-performing schools that meet the criteria for improvement, in-
37 cluding schools that have been granted an extension pursuant to section
38 33-6108, Idaho Code; and

39 (b) Administrators and teachers at low-performing schools that qualify
40 for a reward pursuant to paragraph (a) of this subsection.

41 (3) The board shall establish in rule a reward schedule for rewards
42 granted pursuant to this section.

43 (4) When a low-performing school receives a reward pursuant to this
44 section, the principal of such school shall, in consultation with the fac-
45 ulty and staff at the school, determine how to use the reward in the best
46 interest of the school, including providing bonuses to school employees.

1 33-6110. SCHOOL LEADERSHIP DEVELOPMENT PROGRAM. (1) As used in this
2 section, "school leader" means a principal or an assistant principal.

3 (2) There is hereby created the school leadership development program,
4 the intent of which is to increase the number of highly effective school
5 leaders capable of initiating, achieving and sustaining school improvement
6 efforts.

7 (3) The board shall identify one (1) or more providers through a request
8 for proposals process to develop or provide leadership development training
9 for school leaders. The training shall emphasize proven strategies for im-
10 proving schools.

11 (4) Subject to available funding, the board shall provide incentive pay
12 to a school leader who:

13 (a) Completes training pursuant to this section; and

14 (b) Agrees to work for at least five (5) years in a school designated a
15 low-performing school.

16 (5) The board shall establish provisions regarding the school leader-
17 ship development program in rule, including application procedures for the
18 program and criteria for selecting school leaders from the applicant pool.

19 33-6111. REPORTS. Twice each year, by January 31 and August 31, the
20 board shall report to the senate and house of representatives education com-
21 mittees on the status of school improvement and the effectiveness of this
22 chapter in improving Idaho schools.

23 33-6112. CHARTER SCHOOLS. Nothing in this chapter shall interfere
24 with the right of an authorized chartering entity to revoke a low-performing
25 public charter school's charter pursuant to section 33-5209C, Idaho Code,
26 and such action may be taken in lieu of other procedures provided in this
27 chapter if authorized by law or rule.

28 33-6113. RULES -- APPEALS -- DUTIES OF DEPARTMENT. (1) The board is au-
29 thorized to promulgate rules to implement and enforce the provisions of this
30 chapter.

31 (2) The board shall establish in rule an appeals process for when a
32 school turnaround plan is not approved by a governing authority or by the
33 accountability oversight committee.

34 (3) The state department of education shall designate a person or
35 persons to provide resources, assistance, data, information or support
36 to the accountability oversight committee, governing authorities, school
37 turnaround committees, independent school turnaround experts and low-per-
38 forming schools.

39 33-6114. SEVERABILITY. The provisions of this chapter are hereby de-
40 clared to be severable and if any provision of this chapter or the applica-
41 tion of such provision to any person or circumstance is declared invalid for
42 any reason, such declaration shall not affect the validity of the remaining
43 portions of this chapter.