

1 H.862

2 Introduced by Representative Keefe of Manchester

3 Referred to Committee on

4 Date:

5 Subject: Education; supervisory unions; innovation zones`

6 Statement of purpose of bill as introduced: This bill proposes to enable and
7 encourage the creation of public education innovation zones in which a
8 supervisory union or group of supervisory unions designs and implements
9 innovative practices to increase educational opportunities and outcomes and
10 enhance operational efficiencies. The Secretary of Education will have
11 authority to waive compliance with statutory requirements and State Board of
12 Education rules that would inhibit implementation of the innovations.

13 An act relating to public education innovation zones

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 16 V.S.A. § 261b is added to read:

16 § 261b. PUBLIC EDUCATION INNOVATION ZONES; REPORT

17 (a) Public education innovation zone. As used in this section, “public
18 education innovation zone” or “innovation zone” means one or more
19 supervisory unions that implement an innovation plan developed and approved
20 pursuant to this section.

1 (b) Initiation of innovation plan. An innovation plan may be initiated and
2 developed in one of two ways:

3 (1) The boards of two or more supervisory unions may collaborate to
4 develop a joint innovation plan and submit the plan to the Secretary pursuant to
5 subsection (e) of this section.

6 (2) A superintendent, in consultation with principals, teachers, and
7 community members, may develop an innovation plan for the supervisory
8 union and submit it to the board of the supervisory union. The board shall
9 review the innovation plan and shall either approve or disapprove the plan
10 within 60 days after its receipt. If the board disapproves the plan, then it shall
11 issue a written explanation detailing the basis of its decision. The
12 superintendent may submit an amended plan to the board at any time. If the
13 board approves the plan in its original or an amended version, then the board
14 shall submit the plan to the Secretary pursuant to subsection (e) of this section.

15 (c) Areas of innovation. An innovation plan may address any area or areas
16 of education governance, policy, or funding, including:

17 (1) curriculum, standards, and assessments;

18 (2) instructional practices and principles;

19 (3) services provided to discrete populations of students, including
20 students eligible for special education, gifted and talented students, students

- 1 with limited English proficiency, and students at risk of academic failure or
2 expulsion;
- 3 (4) early education and school readiness;
4 (5) preparation and counseling of students for postsecondary education,
5 training, and employment;
- 6 (6) use of technology and data systems to improve instruction and
7 expand learning opportunities;
- 8 (7) grouping of students by factors other than age;
9 (8) structure and length of the school day or year;
- 10 (9) public school choice;
11 (10) partnerships with approved independent schools eligible to receive
12 public funding;
- 13 (11) recruitment, employment, training, and professional development
14 of teachers, administrators, or other staff within the innovation zone;
- 15 (12) performance expectations and evaluation procedures for all staff;
16 (13) compensation, including retirement and other benefits;
17 (14) school district and supervisory union governance and the
18 responsibilities of individuals in key leadership positions; and
- 19 (15) use of financial or other resources.
- 20 (d) Components of innovation plan. An innovation plan submitted to the
21 Secretary pursuant to subsection (e) of this section shall include:

1 (1) a statement of the innovation zone’s mission and the ways in which
2 designation as an innovation zone will advance the mission;

3 (2) a description of the proposed innovation or innovations;

4 (3) identification of the educational outcomes that will be measured and
5 the improvements that are expected to result from implementation of the
6 innovations;

7 (4) a list of the programs, practices, and policies that would be affected
8 by the proposed innovations and the ways in which the innovations will affect
9 them;

10 (5) a description of any statutory or other requirements that would
11 inhibit implementation of the innovation plan and from which the proposed
12 innovation zone requests a waiver;

13 (6) identification of businesses, industries, postsecondary institutions,
14 nonprofit organizations, and other entities with which the proposed innovation
15 zone plans to develop partnerships;

16 (7) an estimate of the financial savings and any increased efficiencies or
17 economies of scale anticipated to result from the innovations;

18 (8) identification of proposed strategies to secure and maintain resources
19 necessary to implement and sustain the innovations;

20 (9) provision for the continuation and assumption of collective
21 bargaining agreements until their expiration; and

1 (10) the reasons that the proposed achievement zone can more
2 successfully implement the innovations and achieve the desired results than an
3 individual school district or supervisory union.

4 (e) Review and approval of Secretary.

5 (1) The supervisory union board or boards shall submit to the Secretary
6 an innovation plan developed and approved pursuant to subsection (b) of this
7 section.

8 (2) The Secretary shall review the innovation plan and shall either
9 approve or disapprove the plan within 60 days after its receipt. The Secretary
10 shall approve the plan unless the Secretary concludes that the plan, including
11 any requested waivers, is likely to result in decreased educational outcomes or
12 opportunities or is not fiscally feasible. If the Secretary disapproves the plan,
13 then he or she shall issue a written explanation detailing the basis of the
14 decision.

15 (3) If the Secretary disapproves a submitted plan, the supervisory union
16 board or boards may submit an amended plan to the Secretary at any time and
17 may request additional waivers or changes to the waivers previously requested.
18 The Secretary shall then approve or disapprove the amended plan pursuant to
19 the provisions of subdivision (2) of this subsection and, if disapproved, the
20 supervisory union board may submit an amended plan.

1 (f) Waivers. Upon approval of an innovation plan pursuant to subsection
2 (e) of this section, the Secretary shall grant the innovation zone a waiver from
3 compliance with any related State statute or State Board rule; provided,
4 however, that the Secretary shall not waive requirements relating to:

5 (1) employee participation in the State Teachers' Retirement System of
6 Vermont or the Vermont Municipal Employees' Retirement System;

7 (2) the statewide assessment system adopted by the State Board
8 pursuant to chapter 3 of this title to measure educational outcomes and related
9 State Board rules; or

10 (3) existing legal obligations owed to employees arising under State or
11 federal law, collective bargaining agreements, individual employment
12 contracts, or otherwise, including recognition of the recognized representatives
13 of the employees and assumption and continued observance of all existing
14 collective bargaining agreements.

15 (g) Performance review. Within three years after the Secretary approves an
16 innovation plan, and every three years thereafter, the supervisory union board
17 or boards shall review the performance of the innovation zone and determine
18 whether the innovation zone is achieving or making adequate progress toward
19 achieving the educational and operational results identified in the innovation
20 plan. The supervisory union board or boards may revise the innovation plan to
21 improve academic performance or operational efficiencies and submit the

1 revised plan to the Secretary for review and approval under subsection (e) of
2 this section.

3 (h) Funding. An innovation zone may seek and accept publicly and
4 privately supported grants and donations to support development and
5 implementation of an innovation plan, provided that the funding is approved
6 by the supervisory union board or boards prior to receipt.

7 (i) Annual report. On or before January 15 annually, the Secretary shall
8 submit to the Governor and shall post on the Agency website a report on
9 innovation zones that shall include:

10 (1) the number of supervisory unions designated as innovation zones
11 during the previous academic year;

12 (2) the innovations implemented in each innovation zone;

13 (3) a summary of the educational outcomes of students enrolled in
14 public schools within the innovation zone and a comparison with outcomes of
15 students from before implementation of the innovations; and

16 (4) recommendations for any legislative changes.

17 Sec. 2. EFFECTIVE DATE

18 This act shall take effect on July 1, 2018.