

---

**SENATE BILL 5792**

---

**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** Senator Ericksen

Read first time 02/14/11. Referred to Committee on Early Learning & K-12 Education.

1        AN ACT Relating to authorizing creation of innovation schools and  
2 innovation zones in school districts; amending RCW 28A.657.050; adding  
3 a new section to chapter 41.56 RCW; adding a new section to chapter  
4 41.59 RCW; adding a new section to chapter 28A.150 RCW; adding a new  
5 section to chapter 28A.160 RCW; adding a new section to chapter 28A.165  
6 RCW; adding a new section to chapter 28A.170 RCW; adding a new section  
7 to chapter 28A.175 RCW; adding a new section to chapter 28A.180 RCW;  
8 adding a new section to chapter 28A.185 RCW; adding a new section to  
9 chapter 28A.190 RCW; adding a new section to chapter 28A.193 RCW;  
10 adding a new section to chapter 28A.194 RCW; adding a new section to  
11 chapter 28A.215 RCW; adding a new section to chapter 28A.220 RCW;  
12 adding a new section to chapter 28A.225 RCW; adding a new section to  
13 chapter 28A.230 RCW; adding a new section to chapter 28A.235 RCW;  
14 adding a new section to chapter 28A.245 RCW; adding a new section to  
15 chapter 28A.250 RCW; adding a new section to chapter 28A.300 RCW;  
16 adding a new section to chapter 28A.305 RCW; adding a new section to  
17 chapter 28A.320 RCW; adding a new section to chapter 28A.325 RCW;  
18 adding a new section to chapter 28A.335 RCW; adding a new section to  
19 chapter 28A.340 RCW; adding a new section to chapter 28A.345 RCW;  
20 adding a new section to chapter 28A.400 RCW; adding a new section to  
21 chapter 28A.405 RCW; adding a new section to chapter 28A.410 RCW;

1 adding a new section to chapter 28A.415 RCW; adding a new section to  
2 chapter 28A.600 RCW; adding a new section to chapter 28A.605 RCW;  
3 adding a new section to chapter 28A.620 RCW; adding a new section to  
4 chapter 28A.623 RCW; adding a new section to chapter 28A.625 RCW;  
5 adding a new section to chapter 28A.630 RCW; adding a new section to  
6 chapter 28A.635 RCW; adding a new section to chapter 28A.650 RCW;  
7 adding a new section to chapter 28A.655 RCW; adding a new section to  
8 chapter 28A.700 RCW; adding a new chapter to Title 28A RCW; and  
9 creating new sections.

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

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

12 (a) To further the goals of high quality public education  
13 throughout the state, each school district board of directors should  
14 have the authority to grant schools of the district maximum possible  
15 flexibility to meet the needs of students and the communities in which  
16 they live; and

17 (b) Particularly in schools and communities that are struggling to  
18 improve student academic outcomes and close the achievement gap, there  
19 is a critical need for innovative models of public education that are  
20 tailored to the unique circumstances and needs of the students in those  
21 schools and communities.

22 (2) Therefore, the legislature intends to:

23 (a) Grant school districts and schools greater flexibility to meet  
24 the educational needs of a diverse student population;

25 (b) Improve educational performance through greater individual  
26 school autonomy and managerial flexibility;

27 (c) Implement evidence-based practices proven to be effective in  
28 reducing demographic disparities in student achievement; and

29 (d) Encourage innovation in education by providing local school  
30 communities and principals with greater control over staffing,  
31 personnel selection and evaluation, scheduling, and educational  
32 programming.

33 NEW SECTION. **Sec. 2.** Any school district board of directors may  
34 authorize one or more innovation schools or innovation zones within the  
35 district as provided in this section.

1 (1)(a) Any school within a school district may submit to the board  
2 of directors an innovation school plan as described under section 3 of  
3 this act. A group of schools that share common interests, such as  
4 geographical location or educational focus, or that sequentially serve  
5 classes of students as they progress through elementary and secondary  
6 grades may jointly submit to the board of directors a plan to create an  
7 innovation zone as described under section 3 of this act. An  
8 innovation zone may include all schools within a school district.

9 (b) A school district board of directors that receives an  
10 innovation school plan or innovation zone plan shall either approve or  
11 disapprove the plan within sixty days of receiving the plan. If the  
12 board of directors rejects the plan, the board must provide a written  
13 explanation of the reasons for the rejection. The school or group of  
14 schools may resubmit an amended plan any time after a plan is rejected.

15 (2) A board of directors may initiate and collaborate with one or  
16 more schools in the district to create innovation schools or innovation  
17 zones. In creating an innovation school plan or an innovation zone  
18 plan, the board of directors must ensure that each public school  
19 affected by the plan has substantial opportunity to participate in the  
20 development of the plan.

21 (3) If a board of directors authorizes an innovation school or an  
22 innovation zone, the board may seek state endorsement of the innovation  
23 school or innovation zone under section 5 of this act.

24 (4) If a school district board of directors approves an innovation  
25 school plan or innovation zone plan that contains a request for a  
26 waiver of provisions of school district collective bargaining  
27 agreements, the board must enter into negotiations with the appropriate  
28 employee organizations and the employee organizations and the school  
29 board must bargain in good faith.

30 (5) Each innovation school or innovation zone authorized under this  
31 section must submit an annual report to the school district board of  
32 directors on student achievement results in the school or zone and  
33 other accomplishments achieved during the prior year. The board of  
34 directors shall forward a copy of the reports to the state board of  
35 education.

36 (6) Once an innovation school plan or innovation zone plan has been  
37 authorized by a school district board of directors, the board must  
38 permit the implementation of the plan as authorized for a period of at

1 least four years, after which time the board may end implementation of  
2 the plan or continue the plan for a period of time specified by the  
3 board.

4 NEW SECTION. **Sec. 3.** (1) An innovation school plan must include  
5 the following information:

6 (a) A statement of why designation as an innovation school would  
7 enhance the ability of the school to improve student achievement and  
8 close the achievement gap;

9 (b) A description of the innovations to be implemented by the  
10 school, which may include, but are not limited to: Innovations in  
11 school staffing; class scheduling; use of financial and other  
12 resources; school-based budgeting; professional development; parent  
13 involvement; collaboration and partnership with the community; school-  
14 based decision making; and recruitment, employment, assignment,  
15 evaluation, and compensation of school employees, including providing  
16 financial incentives for performance and excellence;

17 (c) A description of the programs, policies, and approaches to  
18 providing instruction and services that would be changed to reflect  
19 evidence-based practices and other innovations, such as unique learning  
20 opportunities for students; curriculum; student promotion and  
21 graduation policies; forms of student assessment; the length of school  
22 day and school year; programs, services, and strategies specifically  
23 intended to close the achievement gap and increase graduation rates  
24 across all groups of students; project-based learning; team-teaching;  
25 interdisciplinary instruction; provision of special services including  
26 for students in special education, highly capable students, and English  
27 language learner students; dropout early warning, prevention,  
28 intervention, and reengagement; and guidance and counseling services;

29 (d) Identification of the improvements in student achievement that  
30 the school expects to accomplish in implementing the innovations;

31 (e) A statement of the level of support for designation as an  
32 innovation school by the students and parents of students enrolled in  
33 the school and the community surrounding the school;

34 (f) A listing of any waivers of school district policies or  
35 provisions of school district collective bargaining agreements that are  
36 necessary to implement the plan and why the waivers are necessary; and

1 (g) A listing of any waivers of state policies, rules, or laws that  
2 are necessary to implement the plan and why the waivers are necessary.

3 (2) An innovation zone plan must include all of the information  
4 under subsection (1) of this section, plus the following additional  
5 information:

6 (a) A description of how innovations in the schools within the  
7 innovation zone would be integrated to achieve results that would be  
8 less likely to be accomplished by each school working alone; and

9 (b) An estimate of any economies of scale that would be achieved by  
10 innovations implemented jointly by the schools within the innovation  
11 zone.

12 (3) A plan submitted to the school district board of directors  
13 under this section must be approved by a majority of staff assigned to  
14 the school or schools participating in the plan.

15 NEW SECTION. **Sec. 4.** Innovation school and innovation zone plans  
16 must be able to be implemented without supplemental state funds, but  
17 may include requests for supplemental funds from the school district or  
18 from the state for specified components of the plan. Each school  
19 district board of directors is authorized and encouraged to seek and  
20 accept public and private gifts, grants, and donations to offset the  
21 costs of developing and implementing innovation school and innovation  
22 zone plans.

23 NEW SECTION. **Sec. 5.** (1) A school district board of directors  
24 that has authorized an innovation school or an innovation zone under  
25 section 2 of this act may seek endorsement of the innovation school or  
26 innovation zone by the state board of education.

27 (2) The school district board of directors shall submit its  
28 innovation school plans or innovation zone plans to the state board of  
29 education, the office of the superintendent of public instruction, and  
30 the professional educator standards board for review and comment.  
31 Within sixty days after receiving a plan, the state board of education,  
32 the office of the superintendent of public instruction, and the  
33 professional educator standards board shall respond to the board of  
34 directors with any suggested changes or additions to the plan,  
35 including suggestions for further innovations or measures to increase

1 the likelihood that the innovations will result in greater academic  
2 achievement within the innovation school or innovation zone. Based on  
3 the comments, a board of directors may withdraw and resubmit the plan.

4 (3) Within ten days of providing comment on an innovation school  
5 plan or innovation zone plan under subsection (2) of this section,  
6 unless the school district board of directors withdraws the plan for  
7 purposes of revision, the state board of education shall endorse the  
8 innovation school or innovation zone unless the state board concludes  
9 that the plan:

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

12 (b) Is not financially feasible to implement; or

13 (c) Would violate state or federal laws or rules that are not  
14 authorized to be waived under section 6 of this act.

15 (4) If the state board of education does not endorse an innovation  
16 school or innovation zone, the board shall provide a written  
17 explanation of the basis for the rejection to the school district board  
18 of directors. The school district board of directors may resubmit a  
19 revised plan at any time after the endorsement is rejected.

20 NEW SECTION. **Sec. 6.** (1) The superintendent of public  
21 instruction, the state board of education, and the professional  
22 educator standards board, each within the scope of their statutory  
23 authority, shall waive the application of policies and procedures for  
24 an innovation school or schools within an innovation zone endorsed  
25 under section 5 of this act to the extent the waivers are included in  
26 the innovation school or innovation zone plan. The superintendent of  
27 public instruction, the state board of education, and the professional  
28 educator standards board may not waive policies and procedures that  
29 jeopardize the receipt of state or federal funds that a school district  
30 with an innovation school or innovation zone would otherwise be  
31 eligible to receive unless the school district submits a written  
32 authorization for the waiver acknowledging that receipt of these funds  
33 could be jeopardized.

34 (2) The superintendent of public instruction, the state board of  
35 education, and the professional educator standards board, each within  
36 the scope of their statutory authority, shall waive the statutory  
37 requirements and any related rules of the chapters of law specified

1 under section 7 of this act for an innovation school or schools within  
2 an innovation zone endorsed under section 5 of this act to the extent  
3 the waivers are included in the innovation school or innovation zone  
4 plan.

5 (3) A waiver under this section applies only to innovation schools  
6 or schools within innovation zones endorsed under section 5 of this act  
7 and only as specified in the innovation school or innovation zone plan.

8 (4) The superintendent of public instruction, the state board of  
9 education, or the professional educator standards board may suspend a  
10 waiver granted under this section based on evidence of academic harm to  
11 students or findings in financial or program audits.

12 NEW SECTION. **Sec. 7.** (1) The following laws and related rules are  
13 subject to waiver under section 6 of this act, except as provided under  
14 subsection (2) of this section:

- 15 (a) Chapter 28A.150 RCW, general provisions;
- 16 (b) Chapter 28A.160 RCW, student transportation;
- 17 (c) Chapter 28A.165 RCW, learning assistance program;
- 18 (d) Chapter 28A.170 RCW, substance abuse awareness program;
- 19 (e) Chapter 28A.175 RCW, dropout prevention, intervention, and  
20 retrieval system;
- 21 (f) Chapter 28A.180 RCW, transitional bilingual instructional  
22 program;
- 23 (g) Chapter 28A.185 RCW, highly capable students;
- 24 (h) Chapter 28A.190 RCW, residential education programs;
- 25 (i) Chapter 28A.193 RCW, education programs for juvenile inmates;
- 26 (j) Chapter 28A.194 RCW, education programs for juveniles in adult  
27 jails;
- 28 (k) Chapter 28A.215 RCW, early childhood, preschools, before-and-  
29 after school care;
- 30 (l) Chapter 28A.220 RCW, traffic safety;
- 31 (m) Chapter 28A.225 RCW, compulsory school attendance and  
32 admission;
- 33 (n) Chapter 28A.230 RCW, compulsory course work and activities;
- 34 (o) Chapter 28A.235 RCW, food services;
- 35 (p) Chapter 28A.245 RCW, skill centers;
- 36 (q) Chapter 28A.250 RCW, online learning;
- 37 (r) Chapter 28A.300 RCW, superintendent of public instruction;

1 (s) Chapter 28A.305 RCW, state board of education;  
2 (t) Chapter 28A.320 RCW, provisions applicable to all districts;  
3 (u) Chapter 28A.325 RCW, associated student bodies;  
4 (v) Chapter 28A.335 RCW, school districts' property;  
5 (w) Chapter 28A.340 RCW, small high school cooperative projects;  
6 (x) Chapter 28A.345 RCW, Washington state school directors'  
7 association;  
8 (y) Chapter 28A.400 RCW, employees;  
9 (z) Chapter 28A.405 RCW, certificated employees;  
10 (aa) Chapter 28A.410 RCW, certification;  
11 (bb) Chapter 28A.415 RCW, institutes, workshops, and training;  
12 (cc) Chapter 28A.600 RCW, students;  
13 (dd) Chapter 28A.605 RCW, parent access;  
14 (ee) Chapter 28A.620 RCW, community education programs;  
15 (ff) Chapter 28A.623 RCW, meal programs;  
16 (gg) Chapter 28A.625 RCW, awards;  
17 (hh) Chapter 28A.630 RCW, temporary provisions--special projects;  
18 (ii) Chapter 28A.635 RCW, offenses relating to school property and  
19 personnel;  
20 (jj) Chapter 28A.650 RCW, education technology;  
21 (kk) Chapter 28A.655 RCW, academic achievement and accountability;  
22 and  
23 (ll) Chapter 28A.700 RCW, secondary career and technical education.  
24 (2) Statutes or administrative rules pertaining to the following  
25 state requirements may not be waived under section 6 of this act:  
26 (a) Laws and regulations pertaining to health, safety, civil  
27 rights, privacy, and nondiscrimination;  
28 (b) Laws and rules associated with determining disbursements of  
29 state funds, including capital funds, through state funding formulas;  
30 (c) Laws and regulations pertaining to school district budgeting  
31 and accounting and bonded indebtedness;  
32 (d) Laws and regulations pertaining to the statewide assessment and  
33 school and district accountability system to the extent that the  
34 provisions are required under federal laws or regulations;  
35 (e) Laws regarding financial examinations and audits as determined  
36 by the state auditor and the office of the superintendent of public  
37 instruction, including audits for legal and fiscal compliance;



1 (f) Laws pertaining to the election of school district boards of  
2 directors and to the organization and reorganization of school  
3 districts;

4 (g) Employee background and record check requirements under RCW  
5 28A.400.301 and 28A.400.303 and mandatory termination for crimes  
6 against children under RCW 28A.400.320 through 28A.400.330; and

7 (h) The provisions of the interstate compact on educational  
8 opportunity for military children.

9 (3) By August 1, 2011, the office of the superintendent of public  
10 instruction, the professional educator standards board, and the state  
11 board of education shall jointly publish a list of each of the statutes  
12 under Title 28A RCW and administrative rules adopted under those  
13 statutes that may be waived under this section. The list must be  
14 updated by August 1st of each year thereafter.

15 NEW SECTION. **Sec. 8.** (1) The office of the superintendent of  
16 public instruction must annually forward to the legislature any  
17 supplemental state funding requests contained in the plans of  
18 innovation schools or innovation zones endorsed by the state board of  
19 education under section 5 of this act.

20 (2) The supplemental funding requests under this section must be  
21 submitted as a single decision package, to be considered as a whole by  
22 the legislature and not by each innovation school or innovation zone.

23 (3) If funding is appropriated to implement innovation school plans  
24 or innovation zone plans in an amount less than the full request, the  
25 office of the superintendent of public instruction shall apportion the  
26 appropriated funds among the school districts with innovation schools  
27 and innovation zones based on a pro rata share of the amount of the  
28 appropriation compared to the amount of the request.

29 NEW SECTION. **Sec. 9.** (1) A school district with an innovation  
30 school or innovation zone endorsed by the state board of education  
31 under section 6 of this act shall permit but not require employees  
32 assigned to an innovation school or a school within an innovation zone  
33 to elect to be removed from collective bargaining units and collective  
34 bargaining agreements as provided under sections 12 and 13 of this act.

35 (2) If the employees assigned to a school within an innovation zone

1 do not elect to be removed from the collective bargaining unit, the  
2 school district board of directors may revise the innovation zone plan  
3 to remove that school from the plan.

4 (3) Any employee who is assigned to an innovation school or a  
5 school within an innovation zone may request a transfer to another  
6 school within the school district. The superintendent and school  
7 district board of directors shall make every reasonable effort to  
8 accommodate the employee's request for a transfer.

9 NEW SECTION. **Sec. 10.** The office of the superintendent of public  
10 instruction must provide information about the provisions of this  
11 chapter to all schools and school districts in the state and, within  
12 available funds, offer advice and technical assistance at the request  
13 of schools, school districts, and school district boards of directors  
14 in the development and implementation of innovation school plans and  
15 innovation zone plans.

16 **Sec. 11.** RCW 28A.657.050 and 2010 c 235 s 105 are each amended to  
17 read as follows:

18 (1) The local district superintendent and local school board of a  
19 school district designated as a required action district must submit a  
20 required action plan to the state board of education for approval.  
21 Unless otherwise required by subsection (3) of this section, the plan  
22 must be submitted under a schedule as required by the state board. A  
23 required action plan must be developed in collaboration with  
24 administrators, teachers, and other staff, parents, unions representing  
25 any employees within the district, students, and other representatives  
26 of the local community. The superintendent of public instruction shall  
27 provide a district with assistance in developing its plan if requested.  
28 The school board must conduct a public hearing to allow for comment on  
29 a proposed required action plan. The local school district shall  
30 submit the plan first to the office of the superintendent of public  
31 instruction to review and approve that the plan is consistent with  
32 federal guidelines. After the office of the superintendent of public  
33 instruction has approved that the plan is consistent with federal  
34 guidelines, the local school district must submit its required action  
35 plan to the state board of education for approval.

36 (2) A required action plan must include all of the following:

1 (a) Implementation of one of the four federal intervention models  
2 required for the receipt of a federal school improvement grant, for  
3 those persistently lowest-achieving schools that the district will be  
4 focusing on for required action. However, a district may not establish  
5 a charter school under a federal intervention model without express  
6 legislative authority. The intervention models are the turnaround,  
7 restart, school closure, and transformation models. School districts  
8 are encouraged to implement an innovation school as provided in  
9 sections 2 through 10 of this act in a persistently lowest-achieving  
10 school, as long as the innovation school plan under section 3 of this  
11 act also meets the requirements of a federal intervention model. The  
12 intervention model selected must address the concerns raised in the  
13 academic performance audit and be intended to improve student  
14 performance to allow a school district to be removed from the list of  
15 districts designated as a required action district by the state board  
16 of education within three years of implementation of the plan;

17 (b) Submission of an application for a federal school improvement  
18 grant or a grant from other federal funds for school improvement to the  
19 superintendent of public instruction;

20 (c) A budget that provides for adequate resources to implement the  
21 federal model selected and any other requirements of the plan;

22 (d) A description of the changes in the district's or school's  
23 existing policies, structures, agreements, processes, and practices  
24 that are intended to attain significant achievement gains for all  
25 students enrolled in the school and how the district intends to address  
26 the findings of the academic performance audit; and

27 (e) Identification of the measures that the school district will  
28 use in assessing student achievement at a school identified as a  
29 persistently lowest-achieving school, which include improving  
30 mathematics and reading student achievement and graduation rates as  
31 defined by the office of the superintendent of public instruction that  
32 enable the school to no longer be identified as a persistently lowest-  
33 achieving school.

34 (3)(a) For any district designated for required action, the parties  
35 to any collective bargaining agreement negotiated, renewed, or extended  
36 under chapter 41.59 or 41.56 RCW after June 10, 2010, must reopen the  
37 agreement, or negotiate an addendum, if needed, to make changes to

1 terms and conditions of employment that are necessary to implement a  
2 required action plan.

3 (b) If the school district and the employee organizations are  
4 unable to agree on the terms of an addendum or modification to an  
5 existing collective bargaining agreement, the parties, including all  
6 labor organizations affected under the required action plan, shall  
7 request the public employment relations commission to, and the  
8 commission shall, appoint an employee of the commission to act as a  
9 mediator to assist in the resolution of a dispute between the school  
10 district and the employee organizations. Beginning in 2011, and each  
11 year thereafter, mediation shall commence no later than April 15th.  
12 All mediations held under this section shall include the employer and  
13 representatives of all affected bargaining units.

14 (c) If the executive director of the public employment relations  
15 commission, upon the recommendation of the assigned mediator, finds  
16 that the employer and any affected bargaining unit are unable to reach  
17 agreement following a reasonable period of negotiations and mediation,  
18 but by no later than May 15th of the year in which mediation occurred,  
19 the executive director shall certify any disputed issues for a decision  
20 by the superior court in the county where the school district is  
21 located. The issues for determination by the superior court must be  
22 limited to the issues certified by the executive director.

23 (d) The process for filing with the court in this subsection (3)(d)  
24 must be used in the case where the executive director certifies issues  
25 for a decision by the superior court.

26 (i) The school district shall file a petition with the superior  
27 court, by no later than May 20th of the same year in which the issues  
28 were certified, setting forth the following:

29 (A) The name, address, and telephone number of the school district  
30 and its principal representative;

31 (B) The name, address, and telephone number of the employee  
32 organizations and their principal representatives;

33 (C) A description of the bargaining units involved;

34 (D) A copy of the unresolved issues certified by the executive  
35 director for a final and binding decision by the court; and

36 (E) The academic performance audit that the office of the  
37 superintendent of public instruction completed for the school district.

1 (ii) Within seven days after the filing of the petition, each party  
2 shall file with the court the proposal it is asking the court to order  
3 be implemented in a required action plan for the district for each  
4 issue certified by the executive director. Contemporaneously with the  
5 filing of the proposal, a party must file a brief with the court  
6 setting forth the reasons why the court should order implementation of  
7 its proposal in the final plan.

8 (iii) Following receipt of the proposals and briefs of the parties,  
9 the court must schedule a date and time for a hearing on the petition.  
10 The hearing must be limited to argument of the parties or their counsel  
11 regarding the proposals submitted for the court's consideration. The  
12 parties may waive a hearing by written agreement.

13 (iv) The court must enter an order selecting the proposal for  
14 inclusion in a required action plan that best responds to the issues  
15 raised in the school district's academic performance audit, and allows  
16 for the award of a federal school improvement grant or a grant from  
17 other federal funds for school improvement to the district from the  
18 office of the superintendent of public instruction to implement one of  
19 the four federal intervention models. The court's decision must be  
20 issued no later than June 15th of the year in which the petition is  
21 filed and is final and binding on the parties; however the court's  
22 decision is subject to appeal only in the case where it does not allow  
23 the school district to implement a required action plan consistent with  
24 the requirements for the award of a federal school improvement grant or  
25 other federal funds for school improvement by the superintendent of  
26 public instruction.

27 (e) Each party shall bear its own costs and attorneys' fees  
28 incurred under this statute.

29 (f) Any party that proceeds with the process in this section after  
30 knowledge that any provision of this section has not been complied with  
31 and who fails to state its objection in writing is deemed to have  
32 waived its right to object.

33 (4) All contracts entered into between a school district and an  
34 employee must be consistent with this section and allow school  
35 districts designated as required action districts to implement one of  
36 the four federal models in a required action plan.

1           NEW SECTION.   **Sec. 12.** A new section is added to chapter 41.56 RCW  
2 to read as follows:

3           (1) Any collective bargaining agreement entered into, extended,  
4 amended, or renewed after the effective date of this section between a  
5 school district employer and employees under this chapter must contain  
6 a provision that allows employees of a school district who are assigned  
7 to an innovation school or a school within an innovation zone endorsed  
8 by the state board of education under section 6 of this act to elect to  
9 be removed from the bargaining unit and the collective bargaining  
10 agreement as provided under this section.

11           (2) Employees under this section may elect, by means of a secret  
12 ballot approved by a majority of the employees under this chapter  
13 assigned to the school, to be removed from their bargaining unit and  
14 collective bargaining agreement. In the case of schools within an  
15 innovation zone, the election must be conducted separately for each  
16 school within the zone.

17           (3) Removal of employees of an innovation school or a school within  
18 an innovation zone from bargaining units and collective bargaining  
19 agreements under this section must continue so long as the school  
20 remains an innovation school or within an innovation zone.

21           NEW SECTION.   **Sec. 13.** A new section is added to chapter 41.59 RCW  
22 to read as follows:

23           (1) Any collective bargaining agreement entered into, extended,  
24 amended, or renewed after the effective date of this section between an  
25 employer and employees under this chapter must contain a provision that  
26 allows employees of a school district who are assigned to an innovation  
27 school or a school within an innovation zone endorsed by the state  
28 board of education under section 6 of this act to elect to be removed  
29 from the bargaining unit and the collective bargaining agreement as  
30 provided under this section.

31           (2) Employees assigned to an innovation school or a school within  
32 an innovation zone may elect, by means of a secret ballot approved by  
33 a majority of the employees under this chapter assigned to the school,  
34 to be removed from their bargaining unit and collective bargaining  
35 agreement. In the case of schools within an innovation zone, the  
36 election must be conducted separately for each school within the zone.

1 (3) Removal of employees of an innovation school or a school within  
2 an innovation zone from bargaining units and collective bargaining  
3 agreements under this section must continue so long as the school  
4 remains an innovation school or within an innovation zone.

5 NEW SECTION. **Sec. 14.** A new section is added to chapter 28A.150  
6 RCW to read as follows:

7 A school district with an innovation school or an innovation zone  
8 endorsed by the state board of education under section 6 of this act is  
9 subject to the requirements of this chapter and related rules unless a  
10 waiver is included in the innovation school plan or innovation zone  
11 plan. A waiver provided under section 7 of this act from the  
12 requirements of this chapter and related rules applies only to the  
13 innovation schools or schools within innovation zones and only as  
14 specified in the endorsed plan.

15 NEW SECTION. **Sec. 15.** A new section is added to chapter 28A.160  
16 RCW to read as follows:

17 A school district with an innovation school or an innovation zone  
18 endorsed by the state board of education under section 6 of this act is  
19 subject to the requirements of this chapter and related rules unless a  
20 waiver is included in the innovation school plan or innovation zone  
21 plan. A waiver provided under section 7 of this act from the  
22 requirements of this chapter and related rules applies only to the  
23 innovation schools or schools within innovation zones and only as  
24 specified in the endorsed plan.

25 NEW SECTION. **Sec. 16.** A new section is added to chapter 28A.165  
26 RCW to read as follows:

27 A school district with an innovation school or an innovation zone  
28 endorsed by the state board of education under section 6 of this act is  
29 subject to the requirements of this chapter and related rules unless a  
30 waiver is included in the innovation school plan or innovation zone  
31 plan. A waiver provided under section 7 of this act from the  
32 requirements of this chapter and related rules applies only to the  
33 innovation schools or schools within innovation zones and only as  
34 specified in the endorsed plan.

1        NEW SECTION.    **Sec. 17.**    A new section is added to chapter 28A.170  
2    RCW to read as follows:

3        A school district with an innovation school or an innovation zone  
4    endorsed by the state board of education under section 6 of this act is  
5    subject to the requirements of this chapter and related rules unless a  
6    waiver is included in the innovation school plan or innovation zone  
7    plan.    A waiver provided under section 7 of this act from the  
8    requirements of this chapter and related rules applies only to the  
9    innovation schools or schools within innovation zones and only as  
10   specified in the endorsed plan.

11       NEW SECTION.    **Sec. 18.**    A new section is added to chapter 28A.175  
12    RCW to read as follows:

13       A school district with an innovation school or an innovation zone  
14    endorsed by the state board of education under section 6 of this act is  
15    subject to the requirements of this chapter and related rules unless a  
16    waiver is included in the innovation school plan or innovation zone  
17    plan.    A waiver provided under section 7 of this act from the  
18    requirements of this chapter and related rules applies only to the  
19    innovation schools or schools within innovation zones and only as  
20   specified in the endorsed plan.

21       NEW SECTION.    **Sec. 19.**    A new section is added to chapter 28A.180  
22    RCW to read as follows:

23       A school district with an innovation school or an innovation zone  
24    endorsed by the state board of education under section 6 of this act is  
25    subject to the requirements of this chapter and related rules unless a  
26    waiver is included in the innovation school plan or innovation zone  
27    plan.    A waiver provided under section 7 of this act from the  
28    requirements of this chapter and related rules applies only to the  
29    innovation schools or schools within innovation zones and only as  
30   specified in the endorsed plan.

31       NEW SECTION.    **Sec. 20.**    A new section is added to chapter 28A.185  
32    RCW to read as follows:

33       A school district with an innovation school or an innovation zone  
34    endorsed by the state board of education under section 6 of this act is  
35    subject to the requirements of this chapter and related rules unless a



1 waiver is included in the innovation school plan or innovation zone  
2 plan. A waiver provided under section 7 of this act from the  
3 requirements of this chapter and related rules applies only to the  
4 innovation schools or schools within innovation zones and only as  
5 specified in the endorsed plan.

6 NEW SECTION. **Sec. 21.** A new section is added to chapter 28A.190  
7 RCW to read as follows:

8 A school district with an innovation school or an innovation zone  
9 endorsed by the state board of education under section 6 of this act is  
10 subject to the requirements of this chapter and related rules unless a  
11 waiver is included in the innovation school plan or innovation zone  
12 plan. A waiver provided under section 7 of this act from the  
13 requirements of this chapter and related rules applies only to the  
14 innovation schools or schools within innovation zones and only as  
15 specified in the endorsed plan.

16 NEW SECTION. **Sec. 22.** A new section is added to chapter 28A.193  
17 RCW to read as follows:

18 A school district with an innovation school or an innovation zone  
19 endorsed by the state board of education under section 6 of this act is  
20 subject to the requirements of this chapter and related rules unless a  
21 waiver is included in the innovation school plan or innovation zone  
22 plan. A waiver provided under section 7 of this act from the  
23 requirements of this chapter and related rules applies only to the  
24 innovation schools or schools within innovation zones and only as  
25 specified in the endorsed plan.

26 NEW SECTION. **Sec. 23.** A new section is added to chapter 28A.194  
27 RCW to read as follows:

28 A school district with an innovation school or an innovation zone  
29 endorsed by the state board of education under section 6 of this act is  
30 subject to the requirements of this chapter and related rules unless a  
31 waiver is included in the innovation school plan or innovation zone  
32 plan. A waiver provided under section 7 of this act from the  
33 requirements of this chapter and related rules applies only to the  
34 innovation schools or schools within innovation zones and only as  
35 specified in the endorsed plan.

1        NEW SECTION.    **Sec. 24.**    A new section is added to chapter 28A.215  
2    RCW to read as follows:

3        A school district with an innovation school or an innovation zone  
4    endorsed by the state board of education under section 6 of this act is  
5    subject to the requirements of this chapter and related rules unless a  
6    waiver is included in the innovation school plan or innovation zone  
7    plan.    A waiver provided under section 7 of this act from the  
8    requirements of this chapter and related rules applies only to the  
9    innovation schools or schools within innovation zones and only as  
10   specified in the endorsed plan.

11       NEW SECTION.    **Sec. 25.**    A new section is added to chapter 28A.220  
12    RCW to read as follows:

13       A school district with an innovation school or an innovation zone  
14    endorsed by the state board of education under section 6 of this act is  
15    subject to the requirements of this chapter and related rules unless a  
16    waiver is included in the innovation school plan or innovation zone  
17    plan.    A waiver provided under section 7 of this act from the  
18    requirements of this chapter and related rules applies only to the  
19    innovation schools or schools within innovation zones and only as  
20   specified in the endorsed plan.

21       NEW SECTION.    **Sec. 26.**    A new section is added to chapter 28A.225  
22    RCW to read as follows:

23       A school district with an innovation school or an innovation zone  
24    endorsed by the state board of education under section 6 of this act is  
25    subject to the requirements of this chapter and related rules unless a  
26    waiver is included in the innovation school plan or innovation zone  
27    plan.    A waiver provided under section 7 of this act from the  
28    requirements of this chapter and related rules applies only to the  
29    innovation schools or schools within innovation zones and only as  
30   specified in the endorsed plan.

31       NEW SECTION.    **Sec. 27.**    A new section is added to chapter 28A.230  
32    RCW to read as follows:

33       A school district with an innovation school or an innovation zone  
34    endorsed by the state board of education under section 6 of this act is  
35    subject to the requirements of this chapter and related rules unless a

1 waiver is included in the innovation school plan or innovation zone  
2 plan. A waiver provided under section 7 of this act from the  
3 requirements of this chapter and related rules applies only to the  
4 innovation schools or schools within innovation zones and only as  
5 specified in the endorsed plan.

6 NEW SECTION. **Sec. 28.** A new section is added to chapter 28A.235  
7 RCW to read as follows:

8 A school district with an innovation school or an innovation zone  
9 endorsed by the state board of education under section 6 of this act is  
10 subject to the requirements of this chapter and related rules unless a  
11 waiver is included in the innovation school plan or innovation zone  
12 plan. A waiver provided under section 7 of this act from the  
13 requirements of this chapter and related rules applies only to the  
14 innovation schools or schools within innovation zones and only as  
15 specified in the endorsed plan.

16 NEW SECTION. **Sec. 29.** A new section is added to chapter 28A.245  
17 RCW to read as follows:

18 A school district with an innovation school or an innovation zone  
19 endorsed by the state board of education under section 6 of this act is  
20 subject to the requirements of this chapter and related rules unless a  
21 waiver is included in the innovation school plan or innovation zone  
22 plan. A waiver provided under section 7 of this act from the  
23 requirements of this chapter and related rules applies only to the  
24 innovation schools or schools within innovation zones and only as  
25 specified in the endorsed plan.

26 NEW SECTION. **Sec. 30.** A new section is added to chapter 28A.250  
27 RCW to read as follows:

28 A school district with an innovation school or an innovation zone  
29 endorsed by the state board of education under section 6 of this act is  
30 subject to the requirements of this chapter and related rules unless a  
31 waiver is included in the innovation school plan or innovation zone  
32 plan. A waiver provided under section 7 of this act from the  
33 requirements of this chapter and related rules applies only to the  
34 innovation schools or schools within innovation zones and only as  
35 specified in the endorsed plan.

1        NEW SECTION.    **Sec. 31.**    A new section is added to chapter 28A.300  
2    RCW to read as follows:

3        A school district with an innovation school or an innovation zone  
4    endorsed by the state board of education under section 6 of this act is  
5    subject to the requirements of this chapter and related rules unless a  
6    waiver is included in the innovation school plan or innovation zone  
7    plan.    A waiver provided under section 7 of this act from the  
8    requirements of this chapter and related rules applies only to the  
9    innovation schools or schools within innovation zones and only as  
10   specified in the endorsed plan.

11       NEW SECTION.    **Sec. 32.**    A new section is added to chapter 28A.305  
12   RCW to read as follows:

13       A school district with an innovation school or an innovation zone  
14   endorsed by the state board of education under section 6 of this act is  
15   subject to the requirements of this chapter and related rules unless a  
16   waiver is included in the innovation school plan or innovation zone  
17   plan.    A waiver provided under section 7 of this act from the  
18   requirements of this chapter and related rules applies only to the  
19   innovation schools or schools within innovation zones and only as  
20   specified in the endorsed plan.

21       NEW SECTION.    **Sec. 33.**    A new section is added to chapter 28A.320  
22   RCW to read as follows:

23       A school district with an innovation school or an innovation zone  
24   endorsed by the state board of education under section 6 of this act is  
25   subject to the requirements of this chapter and related rules unless a  
26   waiver is included in the innovation school plan or innovation zone  
27   plan.    A waiver provided under section 7 of this act from the  
28   requirements of this chapter and related rules applies only to the  
29   innovation schools or schools within innovation zones and only as  
30   specified in the endorsed plan.

31       NEW SECTION.    **Sec. 34.**    A new section is added to chapter 28A.325  
32   RCW to read as follows:

33       A school district with an innovation school or an innovation zone  
34   endorsed by the state board of education under section 6 of this act is  
35   subject to the requirements of this chapter and related rules unless a

1 waiver is included in the innovation school plan or innovation zone  
2 plan. A waiver provided under section 7 of this act from the  
3 requirements of this chapter and related rules applies only to the  
4 innovation schools or schools within innovation zones and only as  
5 specified in the endorsed plan.

6 NEW SECTION. **Sec. 35.** A new section is added to chapter 28A.335  
7 RCW to read as follows:

8 A school district with an innovation school or an innovation zone  
9 endorsed by the state board of education under section 6 of this act is  
10 subject to the requirements of this chapter and related rules unless a  
11 waiver is included in the innovation school plan or innovation zone  
12 plan. A waiver provided under section 7 of this act from the  
13 requirements of this chapter and related rules applies only to the  
14 innovation schools or schools within innovation zones and only as  
15 specified in the endorsed plan.

16 NEW SECTION. **Sec. 36.** A new section is added to chapter 28A.340  
17 RCW to read as follows:

18 A school district with an innovation school or an innovation zone  
19 endorsed by the state board of education under section 6 of this act is  
20 subject to the requirements of this chapter and related rules unless a  
21 waiver is included in the innovation school plan or innovation zone  
22 plan. A waiver provided under section 7 of this act from the  
23 requirements of this chapter and related rules applies only to the  
24 innovation schools or schools within innovation zones and only as  
25 specified in the endorsed plan.

26 NEW SECTION. **Sec. 37.** A new section is added to chapter 28A.345  
27 RCW to read as follows:

28 A school district with an innovation school or an innovation zone  
29 endorsed by the state board of education under section 6 of this act is  
30 subject to the requirements of this chapter and related rules unless a  
31 waiver is included in the innovation school plan or innovation zone  
32 plan. A waiver provided under section 7 of this act from the  
33 requirements of this chapter and related rules applies only to the  
34 innovation schools or schools within innovation zones and only as  
35 specified in the endorsed plan.

1        NEW SECTION.    **Sec. 38.**    A new section is added to chapter 28A.400  
2    RCW to read as follows:

3        A school district with an innovation school or an innovation zone  
4    endorsed by the state board of education under section 6 of this act is  
5    subject to the requirements of this chapter and related rules unless a  
6    waiver is included in the innovation school plan or innovation zone  
7    plan.    A waiver provided under section 7 of this act from the  
8    requirements of this chapter and related rules applies only to the  
9    innovation schools or schools within innovation zones and only as  
10   specified in the endorsed plan.

11       NEW SECTION.    **Sec. 39.**    A new section is added to chapter 28A.405  
12    RCW to read as follows:

13       A school district with an innovation school or an innovation zone  
14    endorsed by the state board of education under section 6 of this act is  
15    subject to the requirements of this chapter and related rules unless a  
16    waiver is included in the innovation school plan or innovation zone  
17    plan.    A waiver provided under section 7 of this act from the  
18    requirements of this chapter and related rules applies only to the  
19    innovation schools or schools within innovation zones and only as  
20   specified in the endorsed plan.

21       NEW SECTION.    **Sec. 40.**    A new section is added to chapter 28A.410  
22    RCW to read as follows:

23       A school district with an innovation school or an innovation zone  
24    endorsed by the state board of education under section 6 of this act is  
25    subject to the requirements of this chapter and related rules unless a  
26    waiver is included in the innovation school plan or innovation zone  
27    plan.    A waiver provided under section 7 of this act from the  
28    requirements of this chapter and related rules applies only to the  
29    innovation schools or schools within innovation zones and only as  
30   specified in the endorsed plan.

31       NEW SECTION.    **Sec. 41.**    A new section is added to chapter 28A.415  
32    RCW to read as follows:

33       A school district with an innovation school or an innovation zone  
34    endorsed by the state board of education under section 6 of this act is  
35    subject to the requirements of this chapter and related rules unless a

1 waiver is included in the innovation school plan or innovation zone  
2 plan. A waiver provided under section 7 of this act from the  
3 requirements of this chapter and related rules applies only to the  
4 innovation schools or schools within innovation zones and only as  
5 specified in the endorsed plan.

6 NEW SECTION. **Sec. 42.** A new section is added to chapter 28A.600  
7 RCW to read as follows:

8 A school district with an innovation school or an innovation zone  
9 endorsed by the state board of education under section 6 of this act is  
10 subject to the requirements of this chapter and related rules unless a  
11 waiver is included in the innovation school plan or innovation zone  
12 plan. A waiver provided under section 7 of this act from the  
13 requirements of this chapter and related rules applies only to the  
14 innovation schools or schools within innovation zones and only as  
15 specified in the endorsed plan.

16 NEW SECTION. **Sec. 43.** A new section is added to chapter 28A.605  
17 RCW to read as follows:

18 A school district with an innovation school or an innovation zone  
19 endorsed by the state board of education under section 6 of this act is  
20 subject to the requirements of this chapter and related rules unless a  
21 waiver is included in the innovation school plan or innovation zone  
22 plan. A waiver provided under section 7 of this act from the  
23 requirements of this chapter and related rules applies only to the  
24 innovation schools or schools within innovation zones and only as  
25 specified in the endorsed plan.

26 NEW SECTION. **Sec. 44.** A new section is added to chapter 28A.620  
27 RCW to read as follows:

28 A school district with an innovation school or an innovation zone  
29 endorsed by the state board of education under section 6 of this act is  
30 subject to the requirements of this chapter and related rules unless a  
31 waiver is included in the innovation school plan or innovation zone  
32 plan. A waiver provided under section 7 of this act from the  
33 requirements of this chapter and related rules applies only to the  
34 innovation schools or schools within innovation zones and only as  
35 specified in the endorsed plan.

1        NEW SECTION.    **Sec. 45.**    A new section is added to chapter 28A.623  
2    RCW to read as follows:

3        A school district with an innovation school or an innovation zone  
4    endorsed by the state board of education under section 6 of this act is  
5    subject to the requirements of this chapter and related rules unless a  
6    waiver is included in the innovation school plan or innovation zone  
7    plan.    A waiver provided under section 7 of this act from the  
8    requirements of this chapter and related rules applies only to the  
9    innovation schools or schools within innovation zones and only as  
10   specified in the endorsed plan.

11       NEW SECTION.    **Sec. 46.**    A new section is added to chapter 28A.625  
12    RCW to read as follows:

13       A school district with an innovation school or an innovation zone  
14    endorsed by the state board of education under section 6 of this act is  
15    subject to the requirements of this chapter and related rules unless a  
16    waiver is included in the innovation school plan or innovation zone  
17    plan.    A waiver provided under section 7 of this act from the  
18    requirements of this chapter and related rules applies only to the  
19    innovation schools or schools within innovation zones and only as  
20   specified in the endorsed plan.

21       NEW SECTION.    **Sec. 47.**    A new section is added to chapter 28A.630  
22    RCW to read as follows:

23       A school district with an innovation school or an innovation zone  
24    endorsed by the state board of education under section 6 of this act is  
25    subject to the requirements of this chapter and related rules unless a  
26    waiver is included in the innovation school plan or innovation zone  
27    plan.    A waiver provided under section 7 of this act from the  
28    requirements of this chapter and related rules applies only to the  
29    innovation schools or schools within innovation zones and only as  
30   specified in the endorsed plan.

31       NEW SECTION.    **Sec. 48.**    A new section is added to chapter 28A.635  
32    RCW to read as follows:

33       A school district with an innovation school or an innovation zone  
34    endorsed by the state board of education under section 6 of this act is  
35    subject to the requirements of this chapter and related rules unless a



1 waiver is included in the innovation school plan or innovation zone  
2 plan. A waiver provided under section 7 of this act from the  
3 requirements of this chapter and related rules applies only to the  
4 innovation schools or schools within innovation zones and only as  
5 specified in the endorsed plan.

6 NEW SECTION. **Sec. 49.** A new section is added to chapter 28A.650  
7 RCW to read as follows:

8 A school district with an innovation school or an innovation zone  
9 endorsed by the state board of education under section 6 of this act is  
10 subject to the requirements of this chapter and related rules unless a  
11 waiver is included in the innovation school plan or innovation zone  
12 plan. A waiver provided under section 7 of this act from the  
13 requirements of this chapter and related rules applies only to the  
14 innovation schools or schools within innovation zones and only as  
15 specified in the endorsed plan.

16 NEW SECTION. **Sec. 50.** A new section is added to chapter 28A.655  
17 RCW to read as follows:

18 A school district with an innovation school or an innovation zone  
19 endorsed by the state board of education under section 6 of this act is  
20 subject to the requirements of this chapter and related rules unless a  
21 waiver is included in the innovation school plan or innovation zone  
22 plan. A waiver provided under section 7 of this act from the  
23 requirements of this chapter and related rules applies only to the  
24 innovation schools or schools within innovation zones and only as  
25 specified in the endorsed plan.

26 NEW SECTION. **Sec. 51.** A new section is added to chapter 28A.700  
27 RCW to read as follows:

28 A school district with an innovation school or an innovation zone  
29 endorsed by the state board of education under section 6 of this act is  
30 subject to the requirements of this chapter and related rules unless a  
31 waiver is included in the innovation school plan or innovation zone  
32 plan. A waiver provided under section 7 of this act from the  
33 requirements of this chapter and related rules applies only to the  
34 innovation schools or schools within innovation zones and only as  
35 specified in the endorsed plan.

1        NEW SECTION.    **Sec. 52.**    If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected.

5        NEW SECTION.    **Sec. 53.**    If any part of this act is found to be in  
6 conflict with federal requirements that are a prescribed condition to  
7 the allocation of federal funds to the state, the conflicting part of  
8 this act is inoperative solely to the extent of the conflict and with  
9 respect to the agencies directly affected, and this finding does not  
10 affect the operation of the remainder of this act in its application to  
11 the agencies concerned. Rules adopted under this act must meet federal  
12 requirements that are a necessary condition to the receipt of federal  
13 funds by the state.

14        NEW SECTION.    **Sec. 54.**    Sections 2 through 10 of this act  
15 constitute a new chapter in Title 28A RCW.

--- END ---