

1 IN THE SENATE

2 SENATE BILL NO. 1291

3 BY EDUCATION COMMITTEE

1 AN ACT

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

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 appoint a school turnaround committee composed of the following mem-
14 bers:

15 (a) A trustee from the trustee zone where the low-performing school is
16 located, if the governing authority is the board of trustees of a school
17 district; or a member of the board of directors, if the governing au-
18 thority is the board of directors of a public charter school;

19 (b) The principal of the low-performing school;

20 (c) Four (4) parents of students enrolled at the low-performing school;

21 (d) Two (2) teachers who work at the low-performing school; and

22 (e) The superintendent of the school district, if the low-performing
23 school is part of a school district; or another member of the board of
24 directors, if the low-performing school is a public charter school.

25 (2) On or before October 30 of an initial remedial year, the governing
26 authority and the school turnaround committee shall select an independent
27 school turnaround expert, which expert shall, in cooperation with the school
28 turnaround committee, develop and implement a school turnaround plan.

29 33-6105. INDEPENDENT SCHOOL TURNAROUND EXPERTS. (1) On or before Au-
30 gust 30 of each year, the board shall identify two (2) or more approved inde-
31 pendent school turnaround experts through a request for proposals process.
32 A governing board and a school turnaround committee shall select an expert
33 from among those experts identified by the board.

34 (2) To be approved by the board, an expert must:

35 (a) Have a credible track record of improving student academic achieve-
36 ment in public schools with various demographic characteristics as mea-
37 sured by statewide assessments;

38 (b) Have experience designing, implementing and evaluating data-
39 driven instructional systems in public schools;

40 (c) Have experience coaching public school administrators and teachers
41 on designing data-driven school improvement plans;

42 (d) Have experience working with the various entities that govern pub-
43 lic schools;

44 (e) Have experience delivering high-quality professional development
45 in instructional effectiveness to public school administrators and
46 teachers;

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

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

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

9 (a) No less than twenty-five percent (25%) nor more than sixty percent
10 (60%) of the expert's professional fees may be paid during the expert's
11 work under the contract.

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

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

17 (a) Differentiated amounts of funding based on student enrollment; and
18 (b) A higher amount of funding for those schools that are lowest-per-
19 forming according to the accountability oversight committee.

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

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

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

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

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

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

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

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

42 (ii) Instructional capacity of the school staff;

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

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

49 (i) Reporting to the accountability oversight committee on progress
50 under the school turnaround plan according to a schedule established in

1 the contract or at the request of the accountability oversight commit-
2 tee.

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

6 33-6106. SCHOOL TURNAROUND PLAN. (1) A school turnaround plan shall
7 include:

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

11 (b) Measurable student achievement goals and objectives;

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

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

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

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

19 (g) A timeline for implementation.

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

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

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

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

34 (a) Is timely;

35 (b) Is well-developed; and

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

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

42 33-6107. SCHOOL TURNAROUND -- DUTIES OF GOVERNING AUTHORITY. In addi-
43 tion to other duties established in this chapter, the governing authority of
44 a low-performing school:

45 (1) Shall prioritize funding and resources to the low-performing
46 school; and

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

1 33-6108. FAILURE TO IMPROVE. (1) A low-performing school that does not
2 improve its performance, according to criteria established by the board,
3 within two (2) years after the initial remedial year may:

4 (a) Be closed or consolidated with another school;

5 (b) Be converted to a public charter school;

6 (c) Have its charter revoked, if the low-performing school is a public
7 charter school; or

8 (d) Be granted an extension by the accountability oversight committee,
9 subject to the provisions of subsection (2) of this section.

10 (2) A low-performing school granted an extension by the accountability
11 oversight committee may continue school improvement efforts for up to two
12 (2) years. To be granted an extension, the school must demonstrate to the ac-
13 countability oversight committee's satisfaction that improvement is likely
14 with an extension.

15 (3) The board may extend the contract of an independent school turn-
16 around expert working with a low-performing school that has been granted an
17 extension.

18 (4) A school granted an extension is eligible for:

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

20 (b) The school recognition and reward program established by section
21 33-6109, Idaho Code.

22 (5) A school that fails to improve, according to criteria established
23 by the board, within two (2) years after being granted an extension shall be
24 subject to the provisions of subsection (1) of this section but may not be
25 granted another extension.

26 33-6109. SCHOOL RECOGNITION AND REWARD PROGRAM. (1) The board shall
27 establish in rule criteria for measuring improvement in low-performing
28 schools.

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

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

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

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

38 (4) When a low-performing school receives a reward pursuant to this
39 section, the principal of such school may, in consultation with the faculty
40 and staff at the school, determine how to use the reward in the best interest
41 of the school, including providing bonuses to school employees.

42 33-6110. SCHOOL LEADERSHIP DEVELOPMENT PROGRAM. (1) As used in this
43 section, "school leader" means a principal or an assistant principal.

44 (2) There is hereby created the school leadership development program,
45 the intent of which is to increase the number of highly effective school
46 leaders capable of initiating, achieving and sustaining school improvement
47 efforts.

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

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

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

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

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

13 33-6111. REPORTS. Twice each year, by January 31 and August 31, the
14 board shall report to the senate and house of representatives education com-
15 mittees on the status of school improvement and the effectiveness of this
16 chapter in improving Idaho schools.

17 33-6112. CHARTER SCHOOLS. Nothing in this chapter shall interfere
18 with the right of an authorized chartering entity to revoke a low-performing
19 public charter school's charter pursuant to section 33-5209C, Idaho Code,
20 and such action may be taken in lieu of other procedures provided in this
21 chapter if authorized by law or rule.

22 33-6113. RULES -- APPEALS -- DUTIES OF DEPARTMENT. (1) The board is au-
23 thorized to promulgate rules to implement and enforce the provisions of this
24 chapter.

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

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

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