

OFFICE OF CHIEF ACADEMIC OFFICER
Summary of State Board of Education Agenda Items
February 18, 2016

OFFICE OF SECONDARY EDUCATION

06. Action: Districts of Innovation in accordance with Senate Bill 2191 [Goal 2 – MBE Strategic Plan]

In accordance with SB2191 passed in the 2015 legislative session, the purpose of a *District of Innovation* shall be to better prepare students for success in life and work and may include at a minimum goals and performance targets for the following:

- Reducing achievement gaps among groups of public school students by expanding learning experiences for students who are identified as academically low-achieving
- Increasing pupil learning through the implementation of high, rigorous standards for pupil performance
- Increasing participation of all students or subgroups of students in various curriculum and instructional components designed to enhance student achievement
- Increasing the number of students who are college- and career-ready
- Reducing the number of students that exit high school in need of remediation
- Motivating students by expanding curriculum choices and learning opportunities for all students

Innovative Districts approved by the State Board of Education may request exemptions from existing regulations. Section 2, of SB 2191 addresses areas which the State Board of Education could consider for exemptions. Districts may request a waiver exemption from the State Board of Education if the waiver is needed to support innovative practices **and does not** violate federal regulations.

Districts must meet the requirements of the current Mississippi Accountability Standards unless specifically described in the innovative plan and approved by the State Board of Education. Districts are not allowed to request a waiver from state and federal assessment requirements.

This item references Goal 2 of the *Mississippi Board of Education 2016-2020 Strategic Plan*.

Recommendation: Approval

Back-up material attached

**MISSISSIPPI DEPARTMENT OF EDUCATION
DISTRICTS OF INNOVATION (SB2191)
Rules and Procedures Document**

In accordance with Senate Bill 2191 passed in the 2015 legislative session and signed by the Governor, the Mississippi Board of Education adopts the following rules and procedures for implementation of Districts of Innovation under SB2191.

I. Definitions

Definitions used in this policy are those as defined by SB2191.

II. Purpose of a District of Innovation

In accordance with SB2191 passed in the 2015 legislative session the purpose of a District of Innovation shall be to better prepare students for success in life and work and may include at a minimum goals and performance targets for the following:

- Reducing achievement gaps among groups of public school students by expanding learning experiences for students who are identified as academically low-achieving
- Increasing pupil learning through the implementation of high, rigorous standards for pupil performance
- Increasing participation of all students or subgroups of students in various curriculum and instructional components and instructional components to enhance student achievement
- Increasing the number of students who are college- and career-ready and reduce the number of students that exit high school in need of remediation
- Motivating students by expanding curriculum choices and learning opportunities for students

III. Waivers and Exemptions

Innovative Districts may request exemptions from regulatory areas. Section 2, of SB 2191 includes areas of innovation, which the SBE could consider for exemptions. Districts may request additional waivers if the waiver is needed to support innovative practices **and does not** violate federal regulations. Districts are not allowed to request a waiver from state assessment requirements required by federal regulation. Districts must meet the requirements of the current Mississippi Accountability Standards unless specifically described in the innovative plan and approved by the SBE. Waivers may include but are not limited to:

- Use of capital outlay for operation costs
- Allow certain exemptions in the hiring process and licensing
- Develop alternate salary schedules for extra or extended duty
- Create flexible school schedules and school year calendars
- Promote joint educational ventures between districts and educational entities

- Create nontraditional learning environments
- Use of blended instructional practices such as online learning to meet graduation requirements
- Employ creative funding strategies

The innovative school district plan must include statements assuring that the following regulatory areas shall be met.

- Ensure the same health, safety, civil rights, and disability rights requirements as are applied to all public schools
- Ensure students meet compulsory attendance requirements under Sections 37-13-91 and 37-13-92
- Ensure that high school course offerings meet or exceed the minimum required under Sections 37-16-7 and 37-3-49, for high school graduation or meet early graduation requirements that may be enacted by the Mississippi Legislature
- Ensure the student performance standards meet or exceed those adopted by the State Board of Education as required by Sections 37-3-49, 37-16-3 and 37-17-6, including compliance with the statewide assessment system specified in Chapter 16, Title 37, Mississippi Code of 1972
- Adhere to the same financial audits, audit procedures, and audit requirements as are applied under Section 7-7-211(e)
- Require state and criminal background checks for staff and volunteers as required of all public school employees and volunteers within the public schools and specified in Section 37-9-17
- Comply with open records and open meeting requirements under Sections 25-41-1 et seq. and 25-61-1 et seq.
- Comply with purchasing requirements and limitations under Chapter 39, Title 37, Mississippi Code of 1972
- Provide overall instructional time that is equivalent to or greater than that required under Sections 37-1-11 and 37-13-67, but which may include on-site instruction, distance learning, online courses, and work-based learning on nontraditional school days or hours
- Provide data to the department as deemed necessary to generate school and district reports

IV. Application Plan, Approval and Amendment Process

The approval is a collaborative process between the district and the MDE during the planning stages and prior to application. Districts seeking approval under SB2191 should do so when they require a significant number of waivers from accreditation policies or state laws that hinder the desired innovation. By collaboration with the MDE during the planning stages, a determination can be made as to whether application for an innovative school under SB2191 is required. There are many programs that are innovative that do not require significant waivers and can be approved by the MDE in other ways.

A. Plan Details

- The Mississippi Department of Education may award innovative status to up to five new applications each year. An application may be from a single district or a consortium of districts collaborating on an innovative school. In the case of a consortium, one of the districts must be the lead agency and act as the “district” responsible for meeting all the guidelines outlined in this policy.
- A committee from the MDE will collaborate with districts and review plans to approve innovative status to eligible districts.
- Plans are approved for 5 years. All districts approved will be monitored by MDE for progress and continued support during the 5-year term (line 46).
- Because in truly innovative models it is difficult to predict all potential scenarios where a waiver might be required and there are times that new policies are adopted by the MDE that may require a waiver for an operating innovative school, the school may request adjustments to the plan during the 5-year term as needs arise.
- Requests for renewals must be submitted no later than November 30th in the 5th year of the term and renewals will be for no more than five years (line 48). Renewals that are approved are not counted as part of the limit of 5 new applications that may be approved in a single year.
- Recommendations will be based on the ability of the innovative school to meet the goals and objectives of SB2191 and those performance measures within the approved plan for a sustained period of time.

B. Sample Process Timeline

Time	District	MDE
Year prior to opening school	Notify the designated MDE office of interest or intent to apply for Innovative School or District status by August 31 (or September 30 for the 2015-2016 school year.)	Assign any interested district an MDE contact to work with them through the planning process.
July – Nov	Work with MDE contact and stakeholders to develop plan for the innovative school.	Provide support along the way through the designated MDE office.
November 30	Submit plans to the designated MDE office for schools planning to open the following year. Prior to submitting to MDE, the plan should be approved for five years by the local school board or boards in the case of a consortium application. Documentation of board(s) approval must be included in the application.	Review of plans by the designated MDE office.
Dec – Jan	Prepare district leadership. Key stakeholders from districts will participate in MDE interview.	Review of plans by the designated MDE office
February		Present recommendations to the State Board of Education.

C. Amendments to the Plan

An innovative school seeking an amendment to an approved 5-year plan shall submit in writing the justification for the amendment to the designated MDE office. Requests may be submitted as needed. Requests will be reviewed and approved by the MDE and a recommendation submitted to the State Board of Education for approval. The MDE will respond to amendment requests within 60 days.

D. Revocation of Plan

While the collaborative approach to implementing innovative districts under SB2191 and the monitoring support provided by the MDE during operation should minimize the need to revoke the waivers granted to an innovative school, there may come a time when an innovative model is simply not sustainable, not successful, or not meeting the purpose of SB2191. In these situations, the following procedure will apply.

- The school and district will be notified by the MDE of deficiencies and concerns related to the success and sustainability of the school. The MDE may require certain actions to take place in this notification.
- The district will have 30 days to respond and develop a plan to alleviate the issues.
- Key district leaders will appear before a MDE committee to explain how they will address the concerns. The committee may take the following actions:
 - Recommend to the State Board of Education that the innovative plan be revoked and determine a process for returning the school to “regular” status with a minimum amount of academic disruption.
 - Allow the district to continue in innovative status by taking all actions required by the committee. MDE shall monitor the actions as necessary.
- If the district disagrees with MDE’s recommendation for revocation or with the required actions to cure deficiencies and concerns related to the success and sustainability of the school, the district may submit a written rebuttal for review by the State Board of Education.
 - The written rebuttal must be submitted within 10 days and will be considered for action by the State Board of Education at the first regularly scheduled board meeting following submission. Rebuttals must be received at least 5 days before the scheduled board meeting to allow a reasonable time for the State Board of Education to consider the matter.
 - The district shall be entitled to appear in person at the board meeting to argue the rebuttal.
- Should a district that has been awarded innovative status decide to terminate their approved innovations, they shall submit a plan to the MDE outlining the reasons for the decision and actions necessary to return to “regular” status. Districts may submit termination plans at any time during the school year but will go into effect the following school year and should minimize all academic disruptions.

V. Innovative School Plan Components

By July 1 of each year, the MDE shall release detail specific guidance on the application process, the application requirements, selection procedures and criteria. For the 2015-2016 school year, specific guidance will be release by September 30, 2015. At a minimum, the plan application shall be organized with the following sections and shall address the items listed.

1. Innovative Program/Design

- Identify which schools will be participating in the District of Innovation plan.
- Describe the proposed program, how it differs from what the student would normally do in the current school and what makes it innovative. (lines 104-106)
- Describe the specific innovative model being followed and how this innovation fits within the existing district or school goals and objectives.
- If applicable, describe how the proposed innovations at multiple schools within the district support a larger vision or goal.
- Describe the vision and broad goals for the school.
- Explain how the innovative program prepares students for success in life and work, i.e., college and career ready.
- Describe where the school(s) or innovation will be and what facilities will be used.
- Identify any extracurricular, exploratory, co-curricular, or experiential activities planned.

2. Accountability, Effectiveness and Performance Targets

- Identify the annual student performance targets and other measures of school performance. Identify specific student and school performance targets for year one and include estimates for the following four years of the plan. A rolling five-year plan for performance targets shall be reviewed and revised during each annual report.
- Describe how and when the district will monitor and report interim achievement and progress during the school year to the district and MDE (line 74-75). In addition to an interim report, provide an outline of the proposed annual report including all performance targets and other measures of achievement to be self-reported. Be specific about overall accountability. Annual reports shall be due within 90 days of acquisition of all student data necessary to complete the report on a prior school year. The annual reports are key in the MDE's review and subsequent approval for renewals and should highlight the successes due to the innovation.

3. Students

- If the innovation involves a cohort of students, describe the process by which students will be selected for and admitted to the program including any description of a target population.
- Describe how the innovation will impact student achievement.
- Describe any necessary process needed for dismissal from the innovative school.
- Describe how the program will address student achievement gaps.
- Identify the number of students to be served and the grade levels served.

4. Funding

- Description of the funds sources to be used
- Address costs and plans for projected costs. Examples include but are not limited to personnel, transportation, meals, instructional materials, technology, facilities, and professional development.
- Include a detailed 3 year budget projection and address sustainability for years four and five.

5. Staffing

- Include the overall organization plan that includes **shared leadership** with teachers in the school and qualifications required for individuals employed in the program.
- Include evidence of staff and stakeholder support for the proposed innovation.
- Provide evidence of professional development planned for the staff directly related to the proposed innovation that includes ongoing job-embedded support.
- Create a 3 year staffing plan that addresses recruitment and retention.

6. Stakeholders Collaboration

- Provide evidence of stakeholder support and capacity to create the change desired in the school
- Identify plans for ongoing collaboration among parents, education partners, business and industry partners, community partners and their roles in the school.
- Include documentation of any and all partner agreements, memoranda of understanding, or other legal agreements necessary for implementation of the innovative school or district.

7. Governance

- Describe the proposed governance structure planned for the school, including an advisory board to support the proposed innovation.

- Describe the district’s role in school oversight, support, professional development, reporting and monitoring.

8. Waivers and Exemptions

Identify all requests for waivers of any state or local policies, requirements or restrictions including rationale for the waiver that is connected to the proposed innovation.

9. Timeline of Activities

- Describe planning activities that have taken place to date, i.e., at time of plan submission.
- Detail all key planning activities remaining from the time of plan submission to school opening.
- Describe the continuous monitoring practices that occur throughout implementation

10. Assurances

- Include statements of assurances that the district is in compliance with the regulatory items identified in the *Waivers and Exemption* section above. The MDE shall provide a standard statement of assurances to all applicants.

By: Senator(s) Tollison, Butler (38th),
Collins, Jackson (11th), Parker, Stone,
Wiggins, Younger

To: Education

SENATE BILL NO. 2191
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPROVE
2 THE CREATION OF DISTRICTS OF INNOVATION; TO DEFINE CERTAIN TERMS
3 RELATED TO "DISTRICTS OF INNOVATION"; TO PROVIDE THAT THE NUMBER
4 OF DISTRICTS OF INNOVATION APPROVED SHALL NOT EXCEED FIVE
5 DISTRICTS PER YEAR; TO LIMIT THE INITIAL APPROVAL AND SUBSEQUENT
6 RENEWALS OF DISTRICTS OF INNOVATION TO FIVE-YEAR PERIODS; TO
7 DIRECT THE BOARD TO PROMULGATE ADMINISTRATIVE RULES AND
8 REGULATIONS TO PRESCRIBE THE CONDITIONS AND PROCEDURES TO BE USED
9 BY LOCAL SCHOOL BOARDS TO BE APPROVED AS A DISTRICT OF INNOVATION;
10 TO SPECIFY THE CRITERIA TO BE ADDRESSED BY THE ADMINISTRATIVE
11 REGULATIONS; TO PRESCRIBE THE REQUIREMENTS FOR A DISTRICT TO BE A
12 DISTRICT OF INNOVATION APPLICANT; TO PRESCRIBE THE STATUTORY
13 REQUIREMENTS WITH WHICH SCHOOLS OF INNOVATION WITHIN DISTRICTS OF
14 INNOVATION MUST COMPLY; TO IDENTIFY AREAS IN WHICH DISTRICTS OF
15 INNOVATION MAY REQUEST APPROVAL OF PRACTICES THAT ARE DIFFERENT
16 THAN CURRENT STATUTORY REQUIREMENTS; AND FOR RELATED PURPOSES.

17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

18 **SECTION 1.** (1) For purposes of this act, the following
19 terms shall have the meaning ascribed herein, unless the context
20 clearly indicates otherwise:

21 (a) "District of innovation" means a district that has
22 developed a plan of innovation in compliance with this section and
23 has been approved by the State Board of Education to be exempted
24 from certain administrative regulations and statutory provisions



25 to improve the educational performance of students within the
26 district;

27 (b) "Innovation" means a new or creative alternative to
28 existing instructional and administrative practices intended to
29 improve student learning and student performance of all students;

30 (c) "School of innovation" means a school that
31 voluntarily participates in a district of innovation plan to
32 improve instruction, including waivers and exemptions from local
33 school board policies, selected provisions of rules and
34 regulations promulgated by the State Board of Education, and
35 selected sections of the Mississippi Code of 1972, as permitted
36 under this section and Section 2 of this act;

37 (d) "Board" means the State Board of Education;

38 (e) "Department" means the State Department of
39 Education.

40 (2) The State Board of Education is authorized to approve
41 districts of innovation for the purposes of improving students'
42 educational performance. Districts of innovation shall be
43 provided flexibility from selected board regulations, Title 37,
44 Mississippi Code of 1972, and local school board policies for
45 school administrators, teachers and staff to meet the diverse
46 needs of students. The initial approval of a district of
47 innovation shall be for a five-year period. Each renewal of a
48 district of innovation shall not exceed five (5) years and shall



49 comply with administrative regulations promulgated by the board
50 pursuant to subsection (4) of this section.

51 (3) The board shall promulgate administrative rules and
52 regulations to prescribe the conditions and procedures to be used
53 by a local school board to be approved as a district of innovation
54 and shall publish the same on or before December 31, 2015.

55 (4) Administrative rules and regulations promulgated by the
56 board under subsection (3) of this section shall specify:

57 (a) The regulatory areas which may be exempted or
58 modified if approved by the board, except as provided in Section
59 2(2) of this act, and in addition to those areas identified in
60 Section 2(3) of this act;

61 (b) The application, plan review, approval and
62 amendment process for a district;

63 (c) Timelines for initial approval as a district of
64 innovation, the renewal process and ongoing evaluative procedures
65 required of the district;

66 (d) Acceptable documentation of a critical mass of
67 parental, community, educator and business support and capacity to
68 effect a change;

69 (e) Evidence of teacher collaboration and shared
70 leadership within the district and the schools to be designated as
71 schools of innovation;

72 (f) The process of revocation of the designation of
73 district of innovation or school of innovation;



74 (g) Reporting and oversight responsibilities of the
75 district and the State Department of Education;

76 (h) The financial detail relating to budgets of schools
77 and evidence of sound fiscal management practices;

78 (i) Acceptable areas of emphasis for innovation;

79 (j) Acceptable documentation of job-embedded
80 professional development within the proposed innovation design;
81 and

82 (k) Other components deemed necessary to implement this
83 section and Section 2 of this act.

84 **SECTION 2.** (1) A district which is an applicant to be
85 designated as a district of innovation under Section 1 of this act
86 shall:

87 (a) Establish goals and performance targets for the
88 district of innovation proposal, which may include:

89 (i) Reducing achievement gaps among groups of
90 public school students by expanding learning experiences for
91 students who are identified as academically low-achieving;

92 (ii) Increasing pupil learning through the
93 implementation of high, rigorous standards for pupil performance;

94 (iii) Increasing the participation of students in
95 various curriculum components and instructional components within
96 selected schools to enhance at each grade level;

97 (iv) Increasing the number of students who are
98 college and career-ready;



99 (v) Motivating students at different grade levels
100 by offering more curriculum choices and student learning
101 opportunities to parents and students within the district;

102 (b) Identify changes needed in the district and schools
103 to lead to better prepared students for success in life and work;

104 (c) Have a districtwide plan of innovation that
105 describes and justifies which schools and innovative practices
106 will be incorporated;

107 (d) Provide documentation of community, educator,
108 parental, and the local board's support of the proposed
109 innovations;

110 (e) Provide detailed information regarding the
111 rationale of requests for waivers from Title 37, Mississippi Code
112 of 1972, which relate to the elementary and secondary education of
113 public school students, and administrative regulations, and
114 exemptions for selected schools regarding waivers of local school
115 board policies;

116 (f) Document the fiscal and human resources the board
117 will provide throughout the term of the implementation of the
118 innovations within its plan; and

119 (g) Provide other materials as required by the
120 department in compliance with the board's administrative
121 regulations and application procedures.

122 (2) The district and all schools participating in a
123 district's innovation plan shall:



124 (a) Ensure the same health, safety, civil rights, and
125 disability rights requirements as are applied to all public
126 schools;

127 (b) Ensure students meet compulsory attendance
128 requirements under Sections 37-13-91 and 37-13-92;

129 (c) Ensure that high school course offerings meet or
130 exceed the minimum required under Sections 37-16-7 and 37-3-49,
131 for high school graduation or meet early graduation requirements
132 that may be enacted by the Mississippi Legislature;

133 (d) Ensure the student performance standards meet or
134 exceed those adopted by the State Board of Education as required
135 by Sections 37-3-49, 37-16-3 and 37-17-6, including compliance
136 with the statewide assessment system specified in Chapter 16,
137 Title 37, Mississippi Code of 1972;

138 (e) Adhere to the same financial audits, audit
139 procedures, and audit requirements as are applied under Section
140 7-7-211(e);

141 (f) Require state and criminal background checks for
142 staff and volunteers as required of all public school employees
143 and volunteers within the public schools and specified in Section
144 37-9-17;

145 (g) Comply with open records and open meeting
146 requirements under Sections 25-41-1 et seq. and 25-61-1 et seq.;

147 (h) Comply with purchasing requirements and limitations
148 under Chapter 39, Title 37, Mississippi Code of 1972;



149 (i) Provide overall instructional time that is
150 equivalent to or greater than that required under Sections 37-1-11
151 and 37-13-67, but which may include on-site instruction, distance
152 learning, online courses, and work-based learning on
153 nontraditional school days or hours; and

154 (j) Provide data to the department as deemed necessary
155 to generate school and district reports.

156 (3) (a) Only schools that choose to be designated as
157 schools of innovation shall be included in a district's
158 application;

159 (b) As used in this paragraph, "eligible employees"
160 means employees that are regularly employed at the school and
161 those employees whose primary job duties will be affected by the
162 plan; and

163 (c) Notwithstanding the provisions of paragraph (a) of
164 this subsection, a local school board may require a school that
165 has been identified as a persistently low-achieving school under
166 provisions of Section 37-17-6 to participate in the district's
167 plan of innovation.

168 (4) Notwithstanding any statutes to the contrary, the board
169 may approve the requests of districts of innovation to:

170 (a) Use capital outlay funds for operational costs;

171 (b) Hire persons for classified positions in
172 nontraditional school and district assignments who have bachelors
173 and advanced degrees from postsecondary education institutions



174 accredited by a regional accrediting association (Southern
175 Association of Colleges and Schools) or by an organization
176 affiliated with the National Commission on Accrediting;

177 (c) Employ teachers on extended employment contracts or
178 extra duty contracts and compensate them on a salary schedule
179 other than the single salary schedule;

180 (d) Extend the school days as is appropriate within the
181 district with compensation for the employees as determined
182 locally;

183 (e) Establish alternative education programs and
184 services that are delivered in nontraditional hours and which may
185 be jointly provided in cooperation with another school district or
186 consortia of districts;

187 (f) Establish online classes within the district for
188 delivering alternative classes in a blended environment to meet
189 high school graduation requirements;

190 (g) Use a flexible school calendar;

191 (h) Convert existing schools into schools of
192 innovation; and

193 (i) Modify the formula under Section 37-151-7 for
194 distributing support education funds for students in average daily
195 attendance in nontraditional programming time, including
196 alternative programs and virtual programs. Funds granted to a
197 district shall not exceed those that would have otherwise been



198 distributed based on average daily attendance during regular
199 instructional days.

200 **SECTION 3.** This act shall take effect and be in force from
201 and after July 1, 2015.

