

## **Summary of SD1209, An Act Relative to Innovation Partnership Zones and the “Innovation Partnership Zones” sections of HD445, An Act to Promote Autonomy and Success in Schools**

Senator Eric Lesser (D-Springfield) has filed a bill (SD1209) for the 2017-2018 legislative session to permit the creation of “Innovation Partnership Zones” in certain districts. Representative Alice Peisch (D-Wellesley) has filed a broader bill (HD445) that includes a section on IPZs that is identical to Lesser bill. This summary describes the IPZ proposal contained in both bills.

- This proposal would permit the creation of “Innovation Partnership Zones” that consist of two or more schools in a district. No upper limit is established, so the zone could potentially include the entire district. Schools in the zone have autonomy over curriculum, budget, schedule, staffing — including waivers from collective bargaining agreements — as well as professional development and school district policies and procedures.
- Schools must comply with state and federal laws except any laws that conflict with this act. (It is unclear what this means.)
- The IPZ can be initiated by one of two routes: (1) by a district that has one or more schools in the bottom 20 percent (schools in the bottom 20 percent are automatically in Level 3, except those designated by the commissioner as Level 4 or 5 schools); (2) by the commissioner, in a district that has (a) one or more Level 4 or 5 schools or (b) is a Level 5 district, following a period of receivership.

### **PROCESS FOR ROUTE 1: DISTRICT-INITIATED**

- IPZ can be initiated by the School Committee, superintendent or union subject to approval of the SC (though the bill does not specify the process for SC approval).
- IPZ will be managed by a Board of Directors. The initiating party identifies the BOD members in a prospectus submitted to a Screening Committee. The Screening Committee is made up of the SC chair and supt. (or their designees) and the local union leadership. A two-thirds vote of the Screening Committee is required to move the process forward.
- The BOD has full managerial rights; the district is still the employer of record.
- The BOD of the IPZ must have 5-9 members, a majority of whom are “independent” — not elected, appointed or employed by the municipality. At least three must live in the IPZ community. Although there is no requirement that any elected or appointed officials are appointed to the BOD, any who are named serve as ex-officio members. It appears that a municipal/district employee (such as a teacher) *could* be appointed to the BOD since the language doesn’t specifically prohibit this, but there is no requirement that any educators or other municipal employees be included.
- If the prospectus is approved by the Screening Committee, the BOD and SC create a Memorandum of Understanding that includes but is not limited to (1) a description of the

division of responsibilities between the BOD and SC; (2) the services and funding that shall be provided by the district; (3) a detailed budget; (4) transition activities; and (5) a description of the anticipated process by which the composition of member schools may be altered.

- The BOD must “engage” district and community representatives in plan development. Representatives include but are not limited to administrators, teachers, students, parents and family members, and municipal leaders. While these parties must be “engaged,” they have no vote and no authority.
- The plan must include areas of autonomy and flexibility; the prospectus and MOU; curriculum plan; proposed budget; school schedule; policies and procedures; staffing plan and proposed waivers to the Collective Bargaining Agreement; PD plan. The plan must be based on “student outcome data,” including MCAS scores; promotion, graduation and dropout rates; achievement data for subgroups; attendance, dismissal and exclusion rates. The plan must include “measurable annual goals,” mainly test scores.
- The BOD and local association negotiate waivers or modifications to the CBA as required by the plan. This is an expedited process, with a 40-day limit. If no agreement is reached, either party may request an arbitrator whose decision shall be final and binding. The arbitrator shall consider the parties’ positions and needs of students. The decision “shall be consistent with the contents of the IPZ plan.”
- The BOD approves the plan and submits it to the commissioner, who accepts, rejects or requests revisions.
- The BOD and SC may mutually agree to terminate the plan at any time during the five-year period, or at the end of the term.
- If after five years the plan’s goals are met, the plan may be renewed for another five years, subject to approval of the SC.

#### **PROCESS FOR ROUTE 2: IPZ INITIATED BY COMMISSIONER**

- If a district has one or more Level 4 or 5 schools, commissioner may initiate the IPZ of two or more schools (presumably with schools of any level).
- The commissioner recommends initiating the process to Board of Elementary and Secondary Education. BESE votes to authorize. Exemptions from current Level 4/5 requirements can be granted to Level 4/5 schools in the zone.
- The commissioner appoints a BOD. This BOD has the same configuration as in Route 1, including no requirement that any municipal officials or educators be appointed and a mandate that a majority of the BOD members NOT be elected or appointed officials or employed by the municipality.
- The BOD develops an MOU with the commissioner.
- The BOD develops a plan based on the MOU.
- The BOD and union negotiate any waivers and modifications to the CBA. There’s a limit of 30 days to bargain, with 10 additional days to ratify.

- If no agreement is reached, a dispute resolution process occurs before a three-member Joint Resolution Committee made up of representatives from the BOD, the American Arbitration Association and the union.
- On any issue where unanimous agreement is not reached, the commissioner has unilateral authority to impose changes.
- The BOD votes to approve the plan and submits the entire plan to the commissioner for final approval. The commissioner may accept, reject or request revisions.
- The commissioner recommends that the BESE vote to establish the IPZ.
- The BOD and commissioner may mutually agree to terminate the plan at any time during the five-year period, or at the end of the term.
- If after five years the plan's goals are met, the plan may be renewed for another five years, subject to approval of the commissioner and BESE.