

CHAPTER 27
HB 609-FN-LOCAL - FINAL VERSION

9Apr2021... 1125EBA

2021 SESSION

21-0285
06/10

HOUSE BILL ***609-FN-LOCAL***

AN ACT relative to innovation schools.

SPONSORS: Rep. Cordelli, Carr. 4; Rep. Ladd, Graf. 4; Rep. Pitre, Straf. 2; Rep. Shaw, Hills. 16; Rep. Hill, Merr. 3; Rep. Mooney, Hills. 21; Rep. A. Lekas, Hills. 37; Sen. Reagan, Dist 17; Sen. Ward, Dist 8

COMMITTEE: Education

ANALYSIS

 This bill permits schools and school districts to develop a plan for waiving rules to become an innovation school.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to innovation schools.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 27:1 New Chapter; Innovation Schools. Amend RSA by inserting after chapter 194-D the
2 following new chapter:

CHAPTER 194-E

INNOVATION SCHOOLS

5 194-E:1 Definitions. In this section:

6 I. "Innovation school" means a school in which a local school board implements an
7 innovation plan pursuant to RSA 194-E:2 with the approval of the state board.

8 II. "Innovation school zone" means a group of schools of a school district or multiple school
9 districts that share common interests, such as geographical location or educational focus, or that
10 sequentially serve classes of students as they progress through elementary and secondary education
11 and in which a local school board implements a plan for creating an innovation school zone pursuant
12 to RSA 194-E:2 with the approval of the state board.

13 III. "State board" means the state board of education established in RSA 21-N:10.

14 194-E:2 Local Planning and Approval.

15 I.(a) A public school of a school district may submit to its local school board an innovation
16 plan as described in paragraph III. A group of public schools of a school district or in multiple
17 districts that share common interests, such as geographical location or educational focus, or that
18 sequentially serve classes of students as they progress through elementary and secondary education
19 may jointly submit to their local school board or boards a plan to create an innovation school zone as
20 described in paragraph IV.

21 (b) The local school board shall hold a public hearing on the plan.

22 (c) The local school board shall either approve or reject the innovation plan within 60
23 days after receiving the plan.

24 (d) If the local school board rejects the plan, it shall provide to the public school or group
25 of public schools that submitted the plan a written explanation of the basis for its decision. A public
26 school or group of public schools may resubmit an amended innovation plan or amended plan for
27 creating an innovation school zone at any time after denial.

28 (e) If the local school board approves the plan, it may proceed to seek designation of the
29 school as an innovation school or innovation school zone.

CHAPTER 27
HB 609-FN-LOCAL - FINAL VERSION
- Page 2 -

II. A local school board may initiate and collaborate with one or more public schools of the school district or other districts to create one or more innovation plans, under paragraph III, or one or more plans to create innovation school zones, under paragraph IV. In creating an innovation plan, each public school that would be affected by the plan shall have the opportunity to participate in creation of the plan. A local school board may approve or create a plan to create an innovation school zone that includes all of the public schools of the school district.

III. Each innovation plan may include the following information:

(a) A statement of the public school's mission and why designation as an innovation school would enhance the school's ability to achieve its mission.

(b) A description of the innovations the public school would implement, which may include, but not be limited to, innovations in school staffing, curriculum and assessment, class scheduling, use of financial and other resources, and faculty recruitment, employment, evaluation, and compensation.

(c) A listing of department of education's administrative rules from which the schools are requesting a waiver and rationale for the waiver request including how and why the waiver is needed to implement its identified innovations.

(d) A listing of the programs, policies, or operational documents within the public school that would be affected by the public school's identified innovations and the manner in which they would be affected. The programs, policies, or operational documents may include, but need not be limited to:

(1) The research-based educational program the public school would implement.

(2) The length of school day and school year at the public school.

(3) The student promotion and graduation policies to be implemented at the public school.

(4) The public school's assessment plan.

(5) The proposed budget for the public school.

(6) The proposed staffing plan for the public school.

(e) An identification of the improvements in academic performance that the public school expects to achieve by implementing the innovations.

(f) An estimate of the cost savings or increased efficiencies, or both, if any, the public school expects to achieve by implementing its identified innovations.

(g) A statement of the level of support for designation as an innovation school or school zone demonstrated by students and parents of students enrolled in the public school, and the community surrounding the public school.

(h) A description of any provision of the collective bargaining agreement in effect for the personnel at the public school that would need to be waived or modified for the public school to implement its identified innovations.

CHAPTER 27
HB 609-FN-LOCAL - FINAL VERSION
- Page 3 -

1 (i) Any additional information required by the local school board of the school district in
2 which the innovation plan would be implemented.

3 IV. Each plan for creating an innovation school zone submitted by a local school board
4 through collaboration with a group of public schools, may include the information specified in
5 paragraph III for each public school that would be included in the innovation school zone. A plan for
6 creating an innovation school zone may also include the following additional information:

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

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

12 (c) A statement of the level of support for designation as an innovation school
13 demonstrated by students and parents of students enrolled in the public school, and the community
14 surrounding the public school based upon the public hearing.

15 V. In considering or creating an innovation plan or a plan for creating an innovation school
16 zone, each local school board may consider innovations in the following areas:

17 (a) Curriculum and academic standards and assessments.

18 (b) Accountability measures, including but not limited to expanding the use of a variety
19 of accountability measures to more accurately present a complete measure of student learning and
20 accomplishment.

21 (c) Provision of services, including but not limited to special education services, services
22 for gifted and talented students, services for students for whom English is not the dominant
23 language, educational services for students at risk of academic failure, expulsion, or dropping out,
24 and support services provided by the department of health and human services or county social
25 services agencies.

26 (d) Teacher recruitment, training, preparation, and professional development.

27 (e) Teacher employment.

28 (f) Performance expectations and evaluation procedures for teachers and principals.

29 (g) School governance and the roles, responsibilities, and expectations of principals in
30 innovation schools or schools within an innovation school zone.

31 (h) Preparation and counseling of students for transition to higher education or the work
32 force.

33 VI. Each public school and each local school board may seek and accept public and private
34 gifts, grants, and donations to offset the costs of developing and implementing innovation plans and
35 plans for creating innovation school zones.

36 194-E:3 State Approval.

CHAPTER 27
HB 609-FN-LOCAL - FINAL VERSION
- Page 4 -

I. A local school board may seek an innovation school or school zone designation by the state board.

II. A local school board that seeks designation of an innovation school or school zone shall submit one or more innovation plans to the department for review and comment.

III. Within 45 days after receiving a local school board's plan, the department of education shall respond to the local school board with any suggested changes or additions to the plan, including but not limited to suggestions for further innovations or for measures to increase the likelihood that the innovations will result in greater academic achievement and growth within the innovation schools or innovation school zones. Based on the department's comments, the local school board may choose to withdraw and resubmit its innovation plan or plan for creating an innovation school zone.

IV. The local school board shall forward the innovation plan to the state board for review.

V. The state board shall hold public hearing on the plan. A representative of the department of education and a representative of the proposing local board shall be present at the hearing.

VI. Within 60 days after receiving a local school board's innovation plan or plan for creating an innovation school or school zone, the state board shall either approve or reject the innovation plan using reasonable discretion in the assessment of the elements set forth in this chapter and provide written explanation of the decision to the local board.

VII. If the innovation plan is rejected, the local board may resubmit an amended innovation plan to the department at any time after rejection.

194-E:4 Innovation Plans; Waiver of Regulatory Requirements.

I. Upon the designation of an innovation school or school zone, the state board shall waive compliance with any administrative rules specified in the local district plan.

II. Each local district shall continue to be subject to all laws and rules that are not waived by the state board under this chapter.

III. No waiver shall be granted from any requirement of the federal Every Student Succeeds Act (ESSA).

IV. The local board may submit a revised innovation plan under RSA 194-E:2 at any time if it is determined that additional waivers are required.

V. Each local district and schools not specified in the innovation plan shall continue to be subject to all rules that are not waived by the state board.

194-E:5 Innovation School and School Zone Reviews.

I. Two years after state board approval of the innovation plan and every 2 years thereafter, the local board shall review the plan and the progress toward the plan objectives including improvements in academic performance and any cost savings or increased efficiencies, or both.

II. The results of the local board review shall be provided to the department of education.

CHAPTER 27
HB 609-FN-LOCAL - FINAL VERSION
- Page 5 -

1 III. If a local school board finds that the academic performance of students enrolled in the
2 innovation school is not improving at a sufficient rate or that the plan is not achieving the planned
3 results, the local school board may notify the department and state board that they wish to revoke
4 the innovation status.

5 194-E:6 Department of Education Review.

6 I. The department shall review the results of each local board innovation plan review and
7 analyze the results based upon data available to the department.

8 II. The department may at any time conduct its own review of the innovation school or
9 school zone performance.

10 III. If the department finds that innovation plan performance is not satisfactory, they shall
11 notify the local board and the state board. The local board may respond or provide a revised
12 innovation plan pursuant to RSA 194-E:2.

13 IV. The state board may revoke the innovation status at any time with notification to the
14 local board and to the department.

15 194-E:7 Reporting.

16 I. The department of education shall provide an annual report on innovation schools and
17 school zones to the governor, the president of the senate, the speaker of the house of representatives,
18 the chairpersons of the senate and house committees with jurisdiction over education, and the state
19 board of education.

20 II. The report shall include:

21 (a) The number of school districts with innovation schools or school zones and the total
22 number in the state.

23 (b) The number of innovation schools and the number of schools within each innovation
24 school zone.

25 (c) The number of students in each innovation school or innovation school zone and a
26 percentage of students in the local district.

27 (d) An overview of innovations implemented.

28 (e) An overview of the academic performance of the students served in innovation
29 schools and innovation school zones, including a comparison between the students' academic
30 performance before and after implementation of the innovations, and a comparison with the
31 academic performance of similar schools.

32 (f) A list of administrative rules waived.

33 194-E:8 Rulemaking. The state board of education shall adopt rules, pursuant to RSA 541-A,
34 relative to innovation schools and innovation zones.

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CHAPTER 27
HB 609-FN-LOCAL - FINAL VERSION
- Page 6 -

1 27:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 06, 2021

Effective Date: July 05, 2021

