

HOW SCHOOL
DISTRICTS
CAN CREATE
AUTONOMOUS,
ACCOUNTABLE
SCHOOLS TO
ENHANCE
STUDENT
LEARNING

The Third Way:

A GUIDE TO IMPLEMENTING
INNOVATION SCHOOLS

ppi progressive
policy
institute

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Acknowledgments

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In advance, we thank those leaders and policymakers invested in the future of our public schools who read and digest this "Third Way" guide with open minds and hearts. America's students need you now more than ever.

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TABLE OF CONTENTS

PREFACE	7
----------------	----------

EXECUTIVE SUMMARY	12
--------------------------	-----------

THE THIRD WAY:	
A GUIDE TO IMPLEMENTING INNOVATION SCHOOLS	18
Autonomous Schools on The Rise	21
The Advantages of Innovation Schools and Zones	29
Key Factors for the Effective Launch of an Innovation Schools Model	33
Steps to Effective Implementation	49
Other Lessons Learned	61
Do's and Don'ts	66
Winning the Political Battle	69

CONCLUSION	76
-------------------	-----------

MODEL LEGISLATION	77
--------------------------	-----------

ENDNOTES	99
-----------------	-----------

ABOUT THE AUTHORS	107
--------------------------	------------

PREFACE: AN URGENT NEED

IF WE LEARN anything from two massive traumas that roiled society in 2020, it is that the racial inequities underpinning both crises require sweeping, systemic change.

We are collectively outraged, yet again, at the murder of an unarmed Black man, George Floyd, who died under the knee of a white police officer while other officers stood by, silently complicit. After Floyd's murder, and those of Breonna Taylor, Ahmaud Arbery, Rayshard Brooks, and so many others, dismantling the systemic discrimination that [is a hallmark of our criminal justice system](#) must be nonnegotiable.¹

The pandemic, which [disproportionately sickened and killed Americans of color](#),² tragically amplifies the need for systemic changes to how we deliver healthcare, jobs, housing, social services, and food—or lack thereof in our nation's many food deserts—and more.

Magnified by the rage and despair gripping America's Black and brown communities, systemic changes to our systems of public education are also a moral imperative, now more than ever.

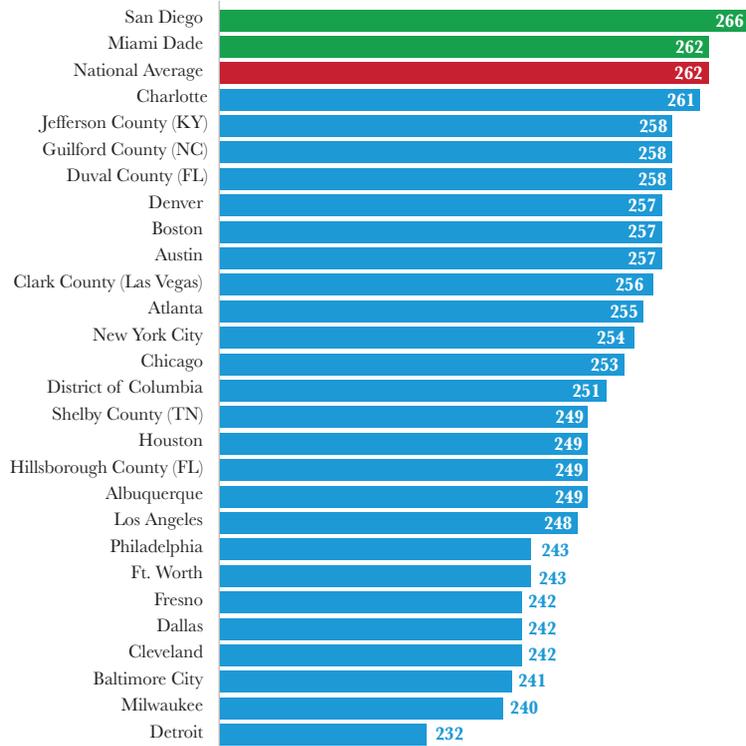
This is not news. Even before 1983's "[A Nation at Risk](#)" report³ codified the public's general dissatisfaction with America's public schools, it was no secret that our education systems have, since their inception, [shortchanged poor and minority children](#).⁴ "Separate and [inherently unequal](#)"⁵ never became "[integrated and equal](#)."⁶

Efforts have been made. From "[No Child Left Behind](#)"⁷ to "[Race to the Top](#)"⁸ to billions spent on "[School Improvement Grants](#),"⁹ America has tinkered around the edges for three decades. While there have been some improvements, the pace of progress has been glacial.¹⁰ Our greatest source of inequity is the low performance of the nation's large urban school districts. Roughly [six and a half million minority students](#) attend urban, mostly central-city schools.¹¹ The schools are predominantly minority, and their students are often [much poorer](#) than

those in neighboring suburban districts.¹² Often, urban teachers have [fewer resources available to them](#) and less control over their curriculum than do teachers in other locations.¹³ (There are [similar conditions](#) in many small, rural districts.)¹⁴

Every two years, a sample of students in 4th, 8th and 12th grades take the National Assessment of Educational Progress (NAEP), a.k.a. “[the Nation’s Report Card](#).” Generally, average scores are announced by state. However, 27 big city school districts’ scores are carved out from their statewide averages. (They are called “TUDA” districts, for “[trial urban district assessment](#).”)¹⁵ In 2019, only two large districts (San Diego and Miami-Dade County) met or exceeded the average national

Figure 1 | 2019 NAEP TUDA 8th Grade Reading



score in eighth grade reading. San Diego has one of the highest median household incomes among these cities, and Miami-Dade has spent the last decade embracing profound reforms. Many districts were far behind the national average.

Analysts who study academic progress characterize ten points on the NAEP as representative of [one year of learning](#).¹⁶ Using that characterization, students in the lowest performing large district, Detroit, are three grade levels behind the national average. The next seven lowest districts are almost two years behind; and the next seven, at least one year behind.

The results in eighth grade math were not much better. And the gap between low-income children (those who qualify for free or reduced lunch, or “FRL,”) and their nonpoor peers was vast—the equivalent of three grade levels in 2019. These results are consistent across all grades taking the NAEP.

Figure 2 | NAEP TUDA Average Poverty Gap - 8th Grade Reading

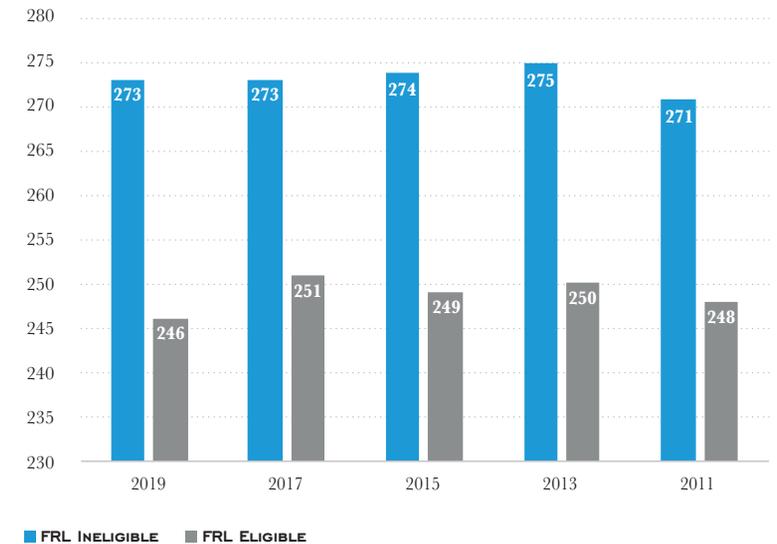
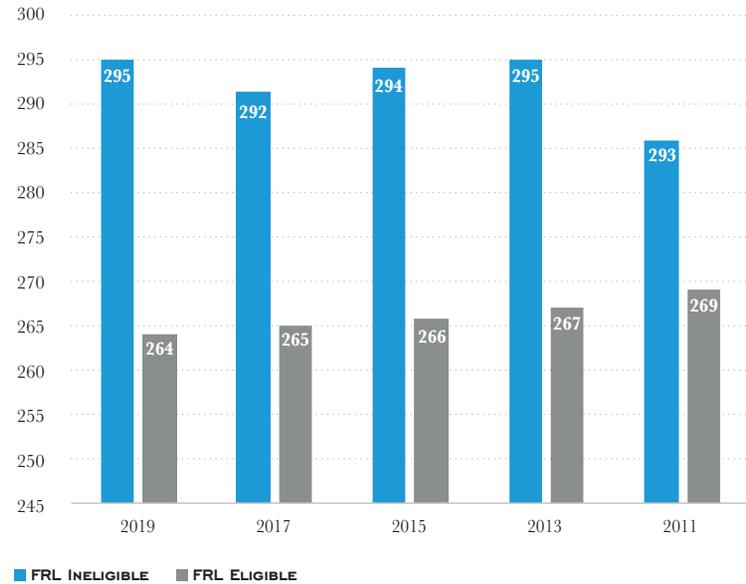


Figure 2 | NAEP TUDA Average Poverty Gap - 8th Grade Math



Decades of low, mostly stagnant scores like these have far-reaching effects for these students. Just one example: the ACT exam has established “[College Readiness Benchmarks](#)” – the minimum students must score to have a reasonable chance of success in first-year, credit-bearing courses at a typical college.¹⁷ [In 2018](#), 48 percent of white students who took the test met the benchmarks in three out of the four subjects the ACT tests (English, reading, math, and science).¹⁸ But [just 22 percent of Latino students and 11 percent of African American students](#) met the same standard.¹⁹

We cannot approach any kind of racial justice until we guarantee every child in America has equal access to a high performing school, regardless of race, color, socioeconomic status or ZIP code. High quality schools cannot be reserved for students who can afford private school tuition, reside in an affluent neighborhood, get lucky in a lottery for a

specialty magnet school or high performing charter school, or test into an elite, selective district school.

If America’s twin disasters have shocked us enough to make bold changes to public education, the question becomes: How do we avoid the spotty success record of the past thirty years of reform?

We believe the answer is simple, although the work is hard, and admittedly, politically fraught: give schools as much autonomy, flexibility and self-determination as possible, and couple that freedom with tough, meaningful accountability for performance. In urban areas where density allows it, encourage diverse learning models to meet the needs of diverse children, then let parents choose the model that best fits their child.

Pre-pandemic, quite a few school districts were experimenting with and, in some cases, even transitioning to systems of autonomous, accountable public schools—what we call “21st century school systems.”²⁰ For communities interested in starting on this path, what follows is a how-to guide, with lessons learned from districts where autonomous schools are flourishing, steps to take, and model state legislation.

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OCTOBER 2020

EXECUTIVE SUMMARY

IF AMERICA'S TWIN traumas of 2020—a pandemic and an explosion of protest against racist police brutality—have shocked us enough to make bold changes to public education, the question becomes: How do we avoid the spotty success record of the past thirty years of reform?

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Pre-pandemic, more than a dozen urban school districts were experimenting with, and in some cases transitioning to, systems of autonomous, accountable public schools—what we call “21st century school systems.”²¹ For communities interested in starting on this path, what follows is a how-to guide, with lessons learned, steps to take, and model state legislation.

The theory behind school-level autonomy is that students can achieve more if those who understand their needs best—principals and teachers, not a remote central office—have the flexibility to make decisions that affect their learning. In exchange for this freedom, schools are held accountable for student outcomes. If they repeatedly fail to educate their students effectively, they are replaced.

There is ample evidence that this approach yields far better results than the centralized, bureaucratic model we inherited from a century ago. The fastest improvements in urban school districts over the past 15 years have been found in cities that give public schools the most autonomy, have strong accountability, encourage a variety of learning models, and make it easy for families to choose the learning model that best suits their children's needs. This includes [New Orleans, Washington, D.C., Chicago, and Denver](#).²²

Autonomous public schools are known by a variety of names: charter schools, innovation schools, renaissance schools, partnership schools, contract schools, and pilot schools. What they share in common is a grant of formal autonomy, to varying degrees, over some or all of the management of their day-to-day operations. This includes hiring and firing staff, defining the learning model and curriculum, controlling the budget, setting the school calendar and schedule, and helping teachers develop their skills. Like any public school, they must still abide by all state and federal laws regarding equal rights, discrimination, health, and safety.

To create such schools, state legislatures have passed statutes that: (1) empower traditional school district leaders to establish autonomous schools and zones (groups of innovation schools with a board to oversee them); (2) exempt those schools from many administrative regulations and statutory provisions; and 3) subject these schools to heightened accountability for performance. (We have included model state legislation with this guide, for governors, state legislators, district leaders, and their staffs interested in introducing such legislation.) In some places these are individual schools, most of which have their own boards. But in others, districts have created innovation or empowerment zones, with one board and anywhere from two to 13 schools.

Unlike charters, these schools remain part of the district, usually in district buildings. [Their student demographics and test scores are included with traditional schools](#) for state accountability purposes.²³ Many innovation schools still follow district enrollment policies, and they often have access to district resources that charters do not—such as transportation, maintenance, and special education services.

Innovation schools offer a “third way” between the status quo of traditional district-operated schools and a transition to independent charters. They offer a number of advantages:

1. Innovation schools and zones are relatively inexpensive ways to improve district performance.
2. Because districts contract with innovation schools to occupy district buildings and the schools remain part of the district, districts can control where they locate and retain more control over the number of seats offered.
3. Innovation schools make it easier for districts to preserve neighborhood schools, where parents prefer that, than charter schools do.
4. Innovation schools' demographics and test scores are included with traditional schools for state accountability purposes, so when their scores improve the district shares the credit.
5. Innovation schools and zones have the flexibility necessary to create and replicate an assortment of diverse learning models, and districts can designate schools for students most in need of a particular model, such as students with disabilities, students returning from the criminal justice system, gifted students, and artists—something districts can't usually do with charters.
6. Innovation schools create competition for traditional district schools, which pushes them to work harder to improve.
7. Districts with statutory authority to create innovation schools are better positioned to encourage collaboration between charters and district-operated schools, by converting both charters and district-operated schools into innovation schools.
8. Districts that invite nonprofits or charter operators to open innovation schools may attract higher-quality learning models, because they have removed one of the greatest obstacles to independent, high-quality charters that want to expand: securing a facility.
9. Districts with an assortment of learning models allow teachers to find schools that fit them best, which can enhance their passion for their craft and help districts attract and retain talented educators.

10. In states with strong teachers unions, innovation schools and zones give districts a way to incorporate collective bargaining but keep significant autonomy for each school.
11. Finally, innovation schools and zones can offer teachers and administrators new career paths, as they create positions that suit their educational and organizational models, positions that may be uncommon in traditional schools.

Key Factors for the Effective Launch of an Innovation Schools Model

Each of the following key factors for success is essential for the effective launch and sustainability of innovation schools, but individually, they are not sufficient. They must work in tandem. Autonomy without accountability would not produce the desired results, because not all autonomous schools succeed, particularly with low-income children. Weeding out those that fail is part of the formula that produces high performance.

- Create Maximum Autonomy.
- Make Accountability Real.
- Create Legal Authority Through State Legislation.
- Use A Carrot and a Stick.
- Make Sure Local Leaders “Own” The Initiative.
- Give Innovation Schools and Zones Independent Governance, With Their Own Boards.
- Spread the Autonomy Beyond Failing Schools.
- Let Parents Choose from a Diversity of Learning Models.
- Let Public Dollars Follow Families' Choices, so Schools Have to Compete.
- Provide Extra Funding for Turnaround Schools.

Steps to Effective Implementation

1. Create a Common Vision.
2. Develop an Implementation Plan.
3. Secure Buy-in from the Central Office.
4. Create a District Office to Support and Protect Autonomous Schools.
5. To Change the Mentality of Internal Service Units, Take Away Their Monopolies.
6. Put Innovation Schools Through a Careful Approval Process.
7. When Possible, Choose Proven School Leaders with Track Records of Success.
8. Invest in Developing Innovation School Leaders.
9. Monitor Progress Throughout the Contract Period Without Micromanaging.

Other Lessons Learned

- Communicate, Communicate, Communicate.
- Adopt a “No-Layoff” Policy.
- Include Innovation School Teachers in District Benefits.
- Create Diversity by Design—Now More Than Ever.
- You Can Launch Innovation Schools as Neighborhood Schools, Schools of Choice, and Hybrids.

Do’s and Don’ts

- Do Give Districts Training in How to Authorize Innovation Schools.
- Do Require Districts That Want to Create Innovation Schools to Do a “Seats Analysis” and a “Portfolio Plan.”
- Do Provide Training and Ongoing Support to the Nonprofit Boards of Innovation Schools.
- Don’t Limit Your Thinking to What You Already Know.
- Do Encourage Teacher-Run Schools in Your Portfolio.

- Do Consider Creating a State Board to Oversee District Authorization of Innovation Schools, Once There are Significant Numbers.

Winning the Political Battle

People naturally resist change, particularly those who now have privilege and power, such as central office middle managers and teachers union leaders. Both can be won over, but it can be a protracted process. The following will help lead innovation school advocates to victory.

- Make Sure You Have Your Ducks in a Row.
- Prove Change is Needed.
- Seize the Moral High Ground.
- Keep the Message Simple.
- Find Credible Partners.
- Develop Champions in Both Parties.
- Organize Constituencies that Would Benefit from the Reform.
- Emphasize Educator and Community Empowerment.
- Engage the Community.
- Show People Successful Innovation Schools.
- Sell Results, not the Process.
- Sell Your Side of the Story to the Media.

THE THIRD WAY: A GUIDE TO IMPLEMENTING INNOVATION SCHOOLS

FROM 2014 THROUGH 2018, Indianapolis Public Schools (IPS) graduated approximately 6,400 students of color. During that five-year period, exactly 38 of them qualified for admission to Purdue University, which includes the biggest and best science, technology, engineering and math (STEM) program in Indiana, Purdue Polytechnic Institute (PPI).²⁴ But when 117 sophomores at one of IPS' new innovation schools took the 2019 PSAT, 62 hit the mark for acceptance to PPI (assuming they maintain their grades and score similarly on the SAT). Of those 62 students, more than half are minorities.²⁵ Thus, this new school is on track to help roughly the same number of students of color get into Purdue in one year as the entire district did in the previous five years.

That school is Purdue Polytechnical High School (PPHS). It's an entirely different high school model. No bells ring to signal a series of 50 minute periods. Students—more than half of them low-income and 65 percent minority—spend the first 45 minutes and last 15 minutes of each day with their “personal learning community,” a group of about 15 students and one “coach” (what PPHS calls teachers). The rest of students' days are spent working on projects at their own pace.

PPHS partners with businesses and community organizations to develop those projects, which are designed to solve real world problems. Students “bid” on the projects they are interested in. Once assigned, they spend the bulk of their school time working (usually in teams) to solve the industrial or community challenge before them.

Because real world problems are usually beyond the scope of students' academic knowledge, PPHS provides relevant lessons and



Photo credit: The Mind Trust

pushes students to take advantage of them. Students can drop into any class, or even schedule a specific class with any of the school's teachers, as needed, to learn the academic skills required to solve the problem. Teachers monitor projects' progress to see what students are learning, then modify their instruction to meet students' needs, in real time.

Each student has two or three projects running at the same time, cutting across subject areas, so the schedule changes every week for both students and teachers, as the projects progress. This would be an impossible proposition in a traditional district school, where the central office mandates pacing, union contracts dictate the maximum minutes teachers can spend delivering instruction, and other rules constrain school personnel.

To provide one example of a project, in 2020 PPHS partnered with pharmaceutical giant Lilly to pose the question: “How can we extend healthy human life cycles worldwide?” Student teams were invited to approach the challenge in whatever way most engaged them. They might focus on the lack of sanitary conditions in the Third World, or

on hunger, or clean water, or eradicating malaria, or improving medical systems, or anything else. As they designed and wrote up their solutions, they used English, math, science, history, social studies, and more—all of the core competencies their traditional school counterparts learn (or fail to learn) at a desk in a classroom.

At the end of each project, the school announces finalists for the best solutions to each challenge. The finalists are recognized during a general assembly—a very public “win” that gives students extra motivation to do their best work. The corporate or community partner picks the final winner.

In case the proffered projects aren’t stimulating enough, students are also allowed to pitch their own “passion projects.” Either way, the students spend much of their day working on something that sparks their curiosity and has real-world relevance.

PPHS was born out of Purdue University’s despair that it would ever increase diversity on its college campus. With Purdue enrolling, on average, fewer than eight minority graduates of IPS a year, its leaders were also frustrated by the educational inequities that were keeping local students of color from preparing for careers with Indiana’s leading industries.

Meanwhile, Scott Bess, who had helped thousands of former dropouts earn their diplomas and industry certifications during his 13 years overseeing an adult charter network called [Goodwill Excel Centers](#), was ready for a new challenge. Shatoya Ward was then the Excel Center’s regional director, responsible for the academic and operational performance of several schools. She had previously taught science at IPS and a local charter school.

[Bess and Ward](#) worked with leaders from Purdue to create an innovative high school that would send more students of color to the university. “We agreed that the decades of tinkering around the edges of the one-size-fits-all high school was never going to work,” Bess said. “The numbers are proof. We needed to blow up the model altogether and completely start over.”

Attracted by the idea of a partnership with one of the most

prestigious universities in the state, IPS gave Purdue and Bess *carte blanche* to do just that, allowing PPHS to join the district as an innovation school free from district mandates and collective bargaining agreements. Bess and PPHS’s independent board of directors—not the district—designed an entirely new kind of high school that guarantees admission to Purdue for students who perform well.

PPHS started three years ago with only freshmen. It has added a grade each year, now has three campuses (two in Indianapolis and a new one in South Bend) and will graduate its first senior class in 2021. That fall, many of those graduates will start their college careers at Purdue. Others will scatter to other universities to begin their march toward a four-year diploma and on to vibrant, professional careers.

Autonomous Schools on The Rise

PPHS is an example of what is possible when school districts give more of their schools significant autonomy to reinvent their learning models. More than a dozen urban districts around the country are moving in this direction, giving schools autonomy, encouraging them to create innovative learning models, and letting families choose between many different kinds of schools.

The [theory behind school-level autonomy](#) is that students can achieve more if those who understand their needs best—principals and teachers, not a remote central office—have the flexibility to make decisions that affect their learning.²⁶ In exchange for this freedom, schools are held accountable for student outcomes. If they repeatedly fail to educate their students effectively, they are replaced.

The Organization for Economic Cooperation and Development (OECD), which administers the *Programme for International Student Assessment* (PISA) test to 15-year olds around the world every three years, [provides evidence for the theory](#).²⁷ OECD found that the greater the number of schools with the responsibility to define and elaborate their curricula and assessments, the better the performance of a country’s

school system, even after accounting for national income.²⁸ And when autonomy is combined with the publication of school achievement data (an accountability measure), students scored even better on the

The fastest improvements in urban school districts over the past 15 years have been found in cities that give public schools the most autonomy, have strong accountability, encourage a variety of learning models, and make it easy for families to choose the learning model that best suits their children's needs. This includes New Orleans, Washington, D.C., Chicago, and Denver.

PISA, compared to countries where there was autonomy but achievement data was not public.²⁹

There is plenty of evidence from the U.S. as well. In 2018, we at the [Progressive Policy Institute](#) published a study that looked at the test scores of semi-autonomous district schools and charter schools in four cities: Boston, Los Angeles, Denver, and Memphis.³⁰ When controlling for—i.e. removing—the effects of ethnicity, race, language proficiency, socio-economic level, and special education population, the data

showed a positive relationship between school autonomy and student achievement. In general, the more autonomy schools had, the higher their performance.

The fastest improvements in urban school districts over the past 15 years have been found in cities that give public schools the most autonomy, have strong accountability, encourage a variety of learning models, and make it easy for families to choose the learning model that best suits their children's needs. This includes [New Orleans, Washington, D.C., Chicago](#), and [Denver](#).³¹ New Orleans, which shifted from a traditional model to an all-charter model in the decade after Hurricane Katrina, produced the nation's [most rapid academic improvement](#).³²

Of the cities that participate in the NAEP, Washington, D.C.—where 47 percent of students attend charters and the district has

a number of fairly autonomous schools—[showed the most rapid improvement between 2003 and 2019](#).³³ And Denver, where [close to half the students now attend charters or district-operated innovation schools, has also been among the national leaders in academic growth](#).³⁴

These cities have gone the furthest in embracing autonomous public schools. But more districts are testing the waters, partnering with charter operators to take over failing schools and/or creating fairly autonomous district schools. They include Atlanta, Boston, Springfield, Ma., Philadelphia, Camden, N.J., Indianapolis and South Bend, Ind., Baton Rouge, Los Angeles, Memphis, Tulsa, and a handful of Texas districts: San Antonio, Ft. Worth, Midland, Beaumont, Longview, Edgewood, and Lubbock. Note that this list includes both large and small districts; one innovation zone in Texas has actually been created across three rural districts, to give their students access to career pathway and early college programs the [districts could not provide on their own](#).³⁵

Autonomous public schools are known by a variety of names: charter schools, innovation schools, renaissance schools, partnership schools, contract schools, and pilot schools. What they share in common is a grant of formal autonomy, to varying degrees, over some or all of the management of their day-to-day operations. This includes hiring and firing staff, defining the learning model and curriculum, controlling the budget, setting the school calendar and schedule, and helping teachers develop their skills. Like any public school, they must still abide by state and federal laws regarding equal rights, discrimination, health, and safety.

To create such schools, state legislatures have passed statutes that: (1) empower traditional school district leaders to establish autonomous schools and zones (groups of innovation schools with a board to oversee them); (2) exempt those schools from many administrative regulations and statutory provisions; and 3) subject these schools to heightened accountability for performance. (We have included model state legislation with this guide, for governors, state legislators, district leaders, and their staffs interested in introducing such legislation.) In some places, like Indianapolis, these are individual schools, most of which have their own

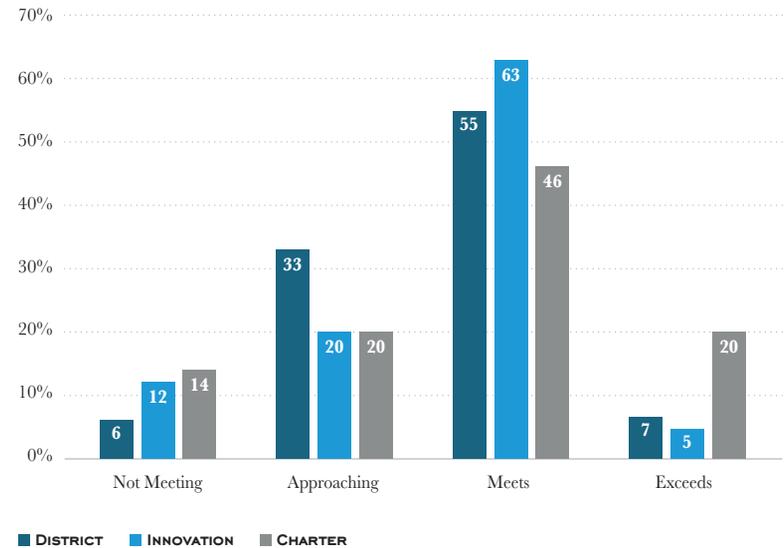
boards. But in others, districts have created innovation or empowerment zones, with one board and anywhere from two to 13 schools.

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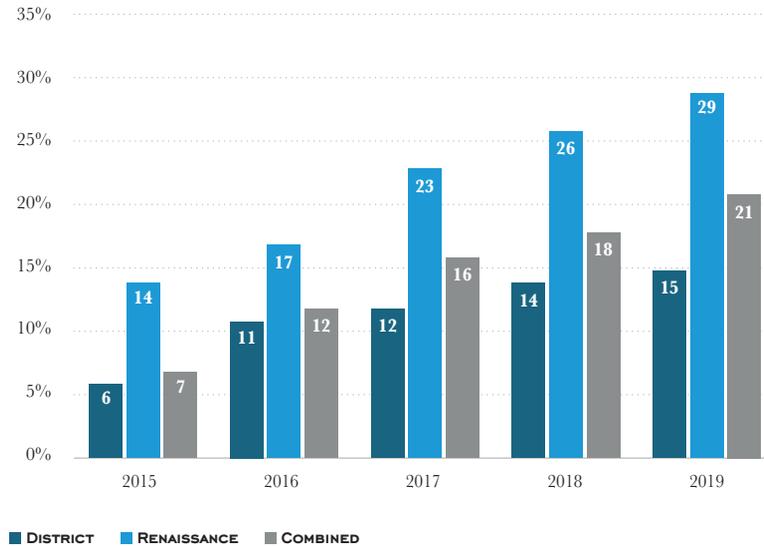
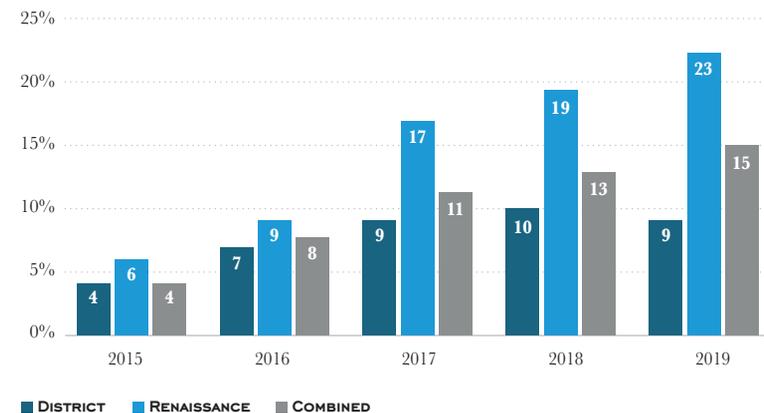
Denver Public Schools (DPS), for example, opened its first innovation schools immediately after the Colorado state legislature passed the Innovation Schools Act of 2008. By 2020, Denver had [52 innovation schools serving 23,000 students](#), or a quarter of the district’s enrollment.³⁷ The Denver model requires schools seeking innovation status to gather majority support from teachers and write an innovation plan outlining waivers they want from state and district rules, including the collective bargaining agreement. [Innovation schools have the same access](#) to per-pupil dollars, support services, and district facilities as traditional district schools.³⁸ Fourteen of the schools belong to one of three innovation zones, which have nonprofit boards to protect their expanded autonomies and hold them accountable for performance. The district has agreed to put a slightly larger share of total per-pupil dollars under the control of each of these zone schools.

According to the district’s [most recent report](#), Denver’s innovation schools serve about 10 percent more minorities, students eligible for free and reduced-price lunch (FRL), and English Language Learners (ELL) than do its traditional schools.³⁹ In spite of that, on standardized testing [they perform](#) about the same as the district schools (but slightly less well than charter schools).⁴⁰ But they outperform district schools on the Academic Gaps Indicator (AGI). Introduced in 2016, the AGI measures the degree to which schools competently serve their minority, FRL-eligible and ELL students. On the state’s [most recently published Accountability Report](#), 68 percent of innovation schools ranked “meets” or “exceeds” standards in serving vulnerable populations.⁴¹

Figure 4 | Denver’s 2016-2017 SPF Academic Gaps Indicator



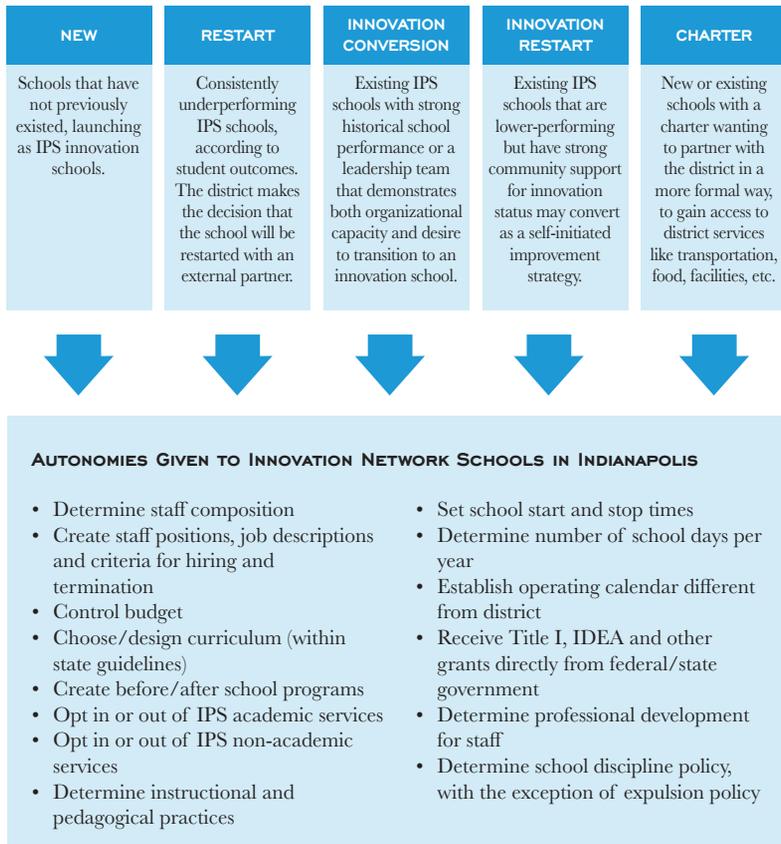
New Jersey enacted a different model, called renaissance schools, with its 2012 “[Urban Hope Act](#).”⁴² After the state took over the Camden City School District in 2013, its new leaders embraced the Act. With [90 percent](#) of their students eligible for FRL and Black or Hispanic,⁴³ they turned 11 struggling schools into renaissance schools. Operated by charter networks [KIPP](#), [Mastery Schools](#) and [Uncommon Schools](#), those 11 educate almost 4,000 of the district’s 15,000 students.⁴⁴ Mike Magee, CEO of Chiefs for Change, called the results “[among the most significant and inspiring in recent education history](#).”⁴⁵ In their [first four years](#), the renaissance schools doubled K-8 ELA proficiency and almost quadrupled math proficiency.⁴⁶

Figure 5 | Camden's ELA Proficiency 2015-2019**Figure 6** | Camden's Math Proficiency 2015-2019

Most states [grant teachers tenure](#) after a probationary period.⁴⁷ Tenure and union efforts to protect teachers' jobs make it difficult, time consuming, and expensive to remove ineffective teachers. Thus, to have the necessary autonomy, innovation schools or zones in unionized districts need the ability to negotiate special bargaining agreements with unions or a legislative exemption from the collective bargaining agreement, as in Camden. (In 33 states and the District of Columbia, districts are [normally required to bargain](#) with teachers unions.)⁴⁸

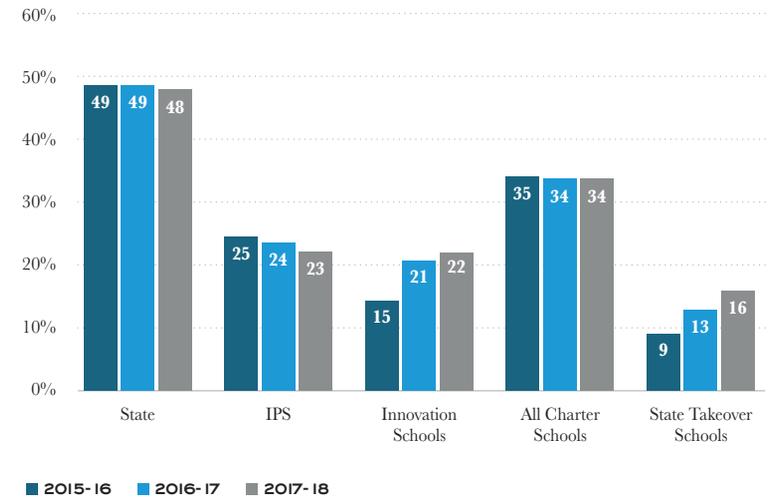
In Massachusetts, [several models exist](#) in which staff remain in the union but schools can waive parts of the collective bargaining agreement (CBA), as in Denver. [Boston has four such models](#): Horace Mann (in-district) charter schools, pilot schools, innovation schools, and turnaround schools.⁴⁹ Springfield, Massachusetts, has an [Empowerment Zone Partnership](#), a nonprofit 501(c)3 organization with its own board that negotiate a separate, streamlined CBA with its teachers.⁵⁰ The district and teachers union originally agreed to this arrangement to forestall state takeover of three struggling middle schools. Four board members are appointed by the state education department, three by the district (the mayor, the superintendent, and the vice chair of the school board). The board authorizes the schools; indeed, it fairly quickly replaced one with an outside operator and broke others up into smaller schools, to which it recruited new leaders. The zone board offered higher pay for longer hours, plus a right for teachers to elect four of the five members of a teacher leadership team at each school, which works with the principal to set each year's plan. Today the zone includes 13 middle and high schools. So far, four of the original nine schools that have been in the zone for five years have shown [significant academic progress](#) on standardized tests.⁵¹ Two were the only secondary schools in Massachusetts to [improve enough to exit state classification](#) as "underperforming schools" in 2018 and 2019.⁵²

Indianapolis Public Schools, home to PPHS, has five distinct types of innovation network schools, which will serve more than a quarter of the district's students in 2020-2021:



IPS has arguably created one of the most successful networks of innovation schools, because [it gives them the most autonomy](#).⁵³ Innovation network schools serve a higher percentage of low-income and minority students than any other type of public schools (including charters) within IPS boundaries, but, on state tests between 2015 and 2018, they showed the most rapid improvements in proficiency. Their state academic growth scores were second only to those of charters.

Figure 6 | Percentage of Students Passing Both ELA and Math State Exams, 2016-2018



While success on standardized tests is just one measure of success, a clear pattern has emerged: autonomous schools freed from district bureaucracies perform better than traditional schools, but they rarely perform as well as fully autonomous charter schools. However, they meet less political resistance than charters normally do, so they are often more practical than a direct embrace of charters by school districts.

The Advantages of Innovation Schools and Zones

Innovation schools offer a “third way” between the status quo of traditional district-operated schools and a transition to independent charters. They offer a number of advantages:

1. Innovation schools and zones are relatively inexpensive ways to improve district performance. Beyond the additional staff needed to authorize these schools effectively (whether district or zone staff), training for district staff and innovation school or zone board members, and extra funding for turnaround schools for three years, there are few significant costs.
2. Because districts contract with innovation schools to occupy district buildings and the schools remain part of the district, districts can control where they locate and retain more control over the number of seats offered. Charter schools, in contrast, usually control the size and location of their facilities. This offers a real advantage to districts seeking to match school locations to where students live and districts concerned about declining enrollment. It also helps them avoid the creation of overcapacity, resulting in too many schools that are only half full of students. As many districts have discovered after charters have proliferated, overcapacity can get expensive unless the district rapidly closes schools, which is always a painful process.
3. Innovation schools make it easier for districts to preserve neighborhood schools where parents prefer that—which they often do, particularly for elementary schools. Charter schools are normally schools of choice, which have to accept applications from across the district, or even from neighboring districts. This also allows districts to replace failing schools without displacing any students. If a charter took a school's place, it would have to accept students from throughout the district and beyond. If there were more applicants than seats, some neighborhood kids would probably lose out in the lottery and have to change schools.
4. Innovation schools' demographics and test scores are included with traditional schools for state accountability purposes, so when their scores improve the [district shares the credit](#).⁵⁴ Camden offers a good example: its renaissance schools increase the district's proficiency rates each year, as the charts above show.

5. Innovation schools and zones have the flexibility necessary to create and replicate an assortment of diverse learning models, and districts can designate schools for students most in need of a particular school model, such as students with disabilities, students returning from the criminal justice system, gifted students, and artists. This is usually impossible with charters, because state laws [require enrollment lotteries](#) when applications exceed seats.⁵⁵ (Those laws frequently limit enrollment preferences to students with siblings in the same school, though [some states allow preferences](#) for students residing near a school, and a few allow preferences for educationally disadvantaged students.)⁵⁶ Scott Bess and his colleagues wanted PPHS to enroll a sizable number of students of color, for instance, but had they only been a charter school, any student in Indiana could have applied. As an innovation school, they are able to limit applications to those who reside within IPS boundaries, so their enrollment mirrors the district's demographics, which was the goal.
6. Innovation schools create competition for traditional district schools, which pushes them to work harder to improve. In Camden, for instance, the graphs show that traditional district schools have improved since renaissance schools opened, though not as rapidly as renaissance schools.
7. Districts with statutory authority to create innovation schools are better positioned to encourage collaboration between charters and district-operated schools, by converting both charters and district-operated schools into innovation schools, as IPS does. Children benefit from the sharing of best educational practices between sectors, as both types of innovation schools learn from one another. IPS innovation schools are helping defuse the tension between the district and charters. By allowing charters to join the district without sacrificing their autonomy, they have given both sectors a way to work together to help the children.

8. Districts that invite nonprofits or charter operators to open innovation schools may attract higher-quality learning models, because they have removed one of the greatest obstacles to independent, high-quality charters that want to expand: securing a facility. Sometimes innovation schools also get free access to district resources that charters do not usually enjoy, such as transportation, maintenance, and special education services, which makes the innovation model a particularly good deal for them. The money charter operators would normally spend on these big ticket items can now flow into the classroom.
9. Districts with an assortment of diverse teaching and learning models allow teachers to find schools that fit them best. For instance, they can choose their preferred pedagogy, whether project-based, direct instruction, Montessori, or something else. This can enhance teachers' passion for their craft and help districts attract and retain talented educators. Similarly, models that give teachers more of a role in school decisions, as in Springfield, are quite popular with educators. Earl Martin Phalen, who opened Indianapolis' first innovation school, makes a third point: "When recruiting, we make the case to talented teachers—the ones who have a real love of teaching—why teaching at this innovation school would be different. Before, they weren't teaching, they were managing chaos, not only in the classroom but in the hallways. They are much happier now."

Districts with an assortment of diverse teaching and learning models allow teachers to find schools that fit them best. For instance, they can choose their preferred pedagogy, whether project-based, direct instruction, Montessori, or something else. This can enhance teachers' passion for their craft and help districts attract and retain talented educators.

10. In states with strong teachers unions, innovation schools and zones give districts a way to incorporate collective bargaining but keep significant autonomy for each school. [Examples include Boston, Springfield, and Los Angeles.](#)⁵⁷
11. Finally, innovation schools and zones can offer teachers and administrators new career paths, as they create positions that suit their educational and organizational model, positions that may be uncommon in traditional schools. They have the flexibility to promote teachers into "grade level chairs," "teacher leaders," "deans," and so on. They also allow successful principals to replicate their models, as they have done in Denver, Springfield, and Indianapolis. This not only helps students, it gives school leaders a career ladder and an opportunity for more compensation, without going into district administration.

Key Factors for the Effective Launch of an Innovation Schools Model

Each of the following key factors for success is essential for the effective launch and sustainability of innovation schools, but individually, they are not sufficient. They must work in tandem. Autonomy without accountability would not produce the desired results, because not all autonomous schools succeed, particularly with low-income children. Weeding out those that fail is part of the formula that produces high performance.

Create Maximum Autonomy.

We have already established that autonomy and accountability are the "*sine qua non*" of innovation schools. Indiana's and New Jersey's blanket grants of autonomy are the gold standard, a big reason Indianapolis's innovation schools and Camden's renaissance schools are so effective. When autonomies are limited, principals' and teachers' abilities to meet their students' needs are also limited. This undermines

morale and can create an exodus of talented employees who leave in frustration.

Other states have gone only halfway. Tennessee’s innovation law gave its innovation zone (iZone) extra money, for instance, but it didn’t give iZone principals control over most of their budgets. One principal told us [he “could’ve done amazing things”](#) if he had been able to move his money around to pay for the classroom aides and fulltime school psychologist his impoverished students needed.⁵⁸ Colorado’s law allows schools to write innovation plans and ask for waivers to particular regulations. Without blanket autonomy, however, central office staff often refused to honor those waivers. Too often they had an attitude of “we’ve always done it this way, and we’re not going to change it for you,” [which led to much frustration](#) among principals.⁵⁹ Other districts have experienced the same phenomenon. Middle managers in central offices do not give up their power easily.

In districts where full autonomy is not automatic, it is *critical* that a school or zone’s nonprofit board of directors negotiate for maximum autonomy upfront, in writing, in the contract. Seth Rau, former director of legislative and strategic partnerships in the San Antonio Independent School District (SAISD) and current senior policy manager at Empower Schools, put it succinctly: “You don’t get what you don’t ask for – your leverage is at the beginning.” Rau witnessed this in SAISD, after different partnership schools negotiated varying levels of autonomy. Schools that negotiated less autonomy consistently struggled for adequate flexibility, after the fact. Rau urges others to learn from their experience.

Staffing autonomies will likely be any innovation school bill’s biggest battlefield, because some teachers unions will oppose them, preferring to protect every teacher’s job forever. But as innovation school leaders across districts attest, their most important autonomy is their ability to hire passionate teachers and staff who are aligned with the vision and mission of their particular school, then to remove those who prove ineffective or damaging to morale. Mariama Shaheed, the founder and CEO of Global Preparatory Academy, Indianapolis’s first dual language immersion school, put it plainly: “Just because a teacher has 10 years’ experience, it doesn’t mean they will be successful *here*.”

Make Accountability Real.

In exchange for maximum autonomy, the contract between the district and school should be a performance contract, with clear metrics for success. Contracts initially should be for five years, though once a school has proven it is a high performer, the district should be free to lengthen the term.

Too often, districts create no consequences, either positive or negative, for the performance of their traditional schools. One result is that school leaders and staff feel no great urgency to improve student learning. In contrast, effective charter authorizers hold schools accountable for benchmarks laid out in their contracts, and every five years or so they review the schools’ progress and decide whether to renew the charter, close the school, or ask the school to expand or replicate. To create urgency to improve, districts should do the same for innovation schools.

Unlike state accountability systems, negotiating a contract with the district gives school leadership and staff some say over their performance targets, which creates ownership and motivation. In addition, those targets can be tailored to a school’s specific mission. If an innovation school focuses on STEM education, for instance, it should be judged on how well it does so—not just on math and reading.

At a minimum, contracts should require schools to meet academic growth targets. (Growth is more important to measure than proficiency rates, because in urban schools so many children are years behind grade level.) But as David Osborne argues in *Reinventing America’s Schools*, formal accountability systems should include measures that provide a broader picture of student learning than standardized tests.⁶⁰ Customer satisfaction is an important factor, for instance. Parent surveys can shine a light into student engagement and other aspects of school performance.⁶¹ San Antonio ISD Superintendent Pedro Martinez uses them in his partnership schools and pays special attention to them with turnaround schools that aren’t yet experiencing major test score growth. On parent surveys, more than 95 percent love the turnaround schools, he says. “The parents get it; they know it doesn’t happen overnight.

Parent surveys are so positive, so I trust that the schools are improving, and progress will continue to happen.”

If schools fail to meet their targets for several years, the district or innovation zone staff should provide them with additional support during a probationary period. One advantage of zones, which usually have ten or fewer schools, is that zone staff and boards can more closely monitor the effectiveness of leadership in each school than a district usually can. In Springfield’s Empowerment Zone, for instance, the zone board typically gives principals two years to prove that they can improve their schools—three years at the most. In its first five years it has subdivided a number of schools, replicated three successful schools, launched six schools with new models and principals, and replaced school operators or principals 11 times.⁶²

At schools’ five-year reviews (which typically happen with only four years of test scores and other data), district or zone leaders should look at performance measures but also take a close look at what is behind them. For instance, if a school suddenly received 75 new students midyear because a nearby school closed, its performance on standardized tests would be expected to suffer. After the pandemic shutdowns, performance at many schools will decline. Districts should take extenuating circumstances such as this into account when making their decisions. Schools judged to be failing at their five-year reviews should be replaced by a team with a stronger record or more promise, without displacing students whenever possible.

Accountability measures must not be so strict that they discourage the recruitment of high-quality partners willing to take on the tough task of school turnaround, however. As Shaheed says, districts and innovation schools should take time to dig into past data and determine what is realistic before agreeing to performance goals. “It’s not an excuse,” she says, “to set winnable goals with the kids you have in front of you.”

In Texas, districts can delay state sanctions (including closure) for their traditional schools by converting them into partnership schools, managed by nonprofit organizations, but those schools only have two

years to escape failing status before sanctions are applied. Because it often takes longer than two years to turn around a failing school, most experts agree that schools should be given three or four years. They point out that fear of sanctions sometimes makes district leaders in Texas risk averse, afraid to let go of too much control.⁶³ Accountability measures should be structured in such a way that districts are encouraged to grant maximum autonomy, to get maximum results.

Create Legal Authority Through State Legislation.

Most school districts do not need explicit permission from the state to contract for school instruction. However, to create, sustain, and protect school autonomy, enabling legislation is found in all states where innovation schools flourish, including Colorado, Texas, New Jersey, Massachusetts, Indiana, Tennessee, and Oklahoma. Indiana’s strong statute:

- identifies district processes for establishing innovation schools
- gives innovation schools the right to occupy district buildings
- defines how districts must fund the schools, including sharing local property tax revenues
- gives the schools control over all operating decisions, including budgets and staffing
- exempts the schools from district collective bargaining agreements (though teachers at individual innovation schools can unionize if they choose)
- articulates that innovation schools are exempt from state board of education and school district policies with minimal exceptions, such as the requirement that the schools administer state tests, report attendance, honor anti-discrimination laws, and so on
- defines enrollment terms (allowable preferences and limitations)
- guarantees teacher and staff inclusion in the relevant [retirement and pension funds](#).⁶⁴

The best practice is to draft enabling legislation that grants innovation schools *carte blanche* autonomy (outside of non-negotiable



Photo credit: The Mind Trust

state and federal laws, such as anti-discrimination protections and safety regulations), as in Indiana and New Jersey. This works better than creating a list of waived rules or letting schools negotiate waivers, as in Colorado, or negotiate overall terms of the agreement, as in Texas, because it is impossible to foresee all changes schools may need to make downstream. If policymakers attempt to spell out each and every autonomy for which a waiver must be requested, unanticipated scenarios will inevitably arise. Ideally, the statute should also give school operators permission to appeal to the state education commissioner to enforce its agreement with the district if necessary. (For more on this, see p. 68-69.)

Use A Carrot and a Stick.

Many states require their departments of education to intervene if a district-run school has received a failing grade in the state's accountability system consecutively for a number of years. These laws give states leverage to spur action at the district level; they act as a "stick."

When a state appoints a new school board, takes over failing schools, or otherwise intervenes, it is an indictment of teachers, administrators, and the school board. It is publicly embarrassing. State intervention is evidence that the adults failed the kids, and no stakeholder wants that.

Ideally, states should have both an intervention law, the stick, and innovation school legislation, the carrot. Particularly when the state authorizes extra funding for innovation schools used to turn around failing schools, as Texas does, the carrot becomes powerful. The legislation gives districts both the incentive and a tool to turn around failing schools, before the state intervenes.

Even without extra funding, the stick creates an incentive. When Indiana took over several failing district schools and handed them to a charter operator in 2012, for example, community leaders began discussing the innovation school strategy, then lobbied state lawmakers for legislation. IPS had been losing students for years; now, it was losing entire schools. "State intervention here was seen as a disaster," says Kristen Grimme, vice president of school incubation at The Mind Trust, a nonprofit that originally proposed innovation schools. "It was real, important, and meaningful, and no one wants that to ever happen again."

While we recommend both statutes, they should be two distinct pieces of legislation. District leaders will resent state use of the stick. If they consider the carrot to be part of it, they will resent that as well. If the community perceives innovation schools to be a state mandate, IPS Chief Portfolio Officer Jamie VanDeWalle explains, there will be no more buy-in than there would be to a state takeover. "'The state is breathing down our neck' cannot be the only argument. It has to be: 'the kiddos deserve better.'"

Make Sure Local Leaders "Own" The Initiative.

A law authorizing the creation of innovation schools on its own is meaningless without the local political will to pursue the model with integrity. In fact, the state should not have the authority to impose innovation schools, according to Chris Gabrieli, co-founder of Empower Schools, which has helped 10 different districts create innovation schools

or zones. “It has to be voluntary, driven by local leaders,” he warns, “or it won’t work very well. The stronger the base of local champions, the more likely the long term success. In Denver, despite significant changes in the outlook of the school board towards charters, the innovation zones have been expanded and renewed, largely because their local proponents are so authentic and respected.”

Innovation schools have been most successful when a district transfers all control over school operations to an entity independent of the school board and superintendent, as in Indiana, New Jersey, and Springfield. Under this model, innovation schools or zones are 501(c)3 nonprofit organizations, governed by independent boards of directors.

Texas originally offered most districts significantly more per-pupil money in partnership schools—sometimes as high as \$2000 per pupil—as an incentive for them to partner with nonprofit operators to turn around failing schools. This was a powerful carrot, along with Texas’s powerful stick: the ability to close a school or appoint a new school board, if a school failed five years in a row. But it turned out to be too powerful: a

few districts may have created partnership schools primarily to get the extra money. Not surprisingly, some did not implement the model with integrity. “If the district is doing this just to avoid state sanctions, it will not produce the change that the state and community want to see,” says Seth Rau, now with Empower Schools. “The district has to want to do this.”

Give Innovation Schools and Zones Independent Governance, With Their Own Boards.

Innovation schools have been most successful when a district transfers all control over school operations to an entity independent of the school board and superintendent, as in Indiana, New Jersey, and

Springfield. Under this model, innovation schools or zones are 501(c)3 nonprofit organizations, governed by independent boards of directors (though multiple schools can sometimes operate under the same board, even if they are not part of a zone). Ideally, their employees should be employees of the nonprofit, not the district. This way the school operator can hire and fire based on the students’ needs, not district policy, teacher tenure law, or provisions of the district collective bargaining agreement, such as last-hired, first-fired during layoffs.

If innovation schools are operated by nonprofits with their own employees, they are also more likely to be held accountable for their performance. Elected school boards find it very difficult to close or replace district schools full of district employees, no matter how bad their performance, because the teachers union or association will oppose them. Since turnout at school board elections is often as low as 10 percent, well-funded unions can often replace board members they don’t like with others more receptive to their guidance. Experience has shown, however, that elected boards find it easier to close schools run by nonprofits, because they get pushback from only one school community, and the union rarely gets involved.

Another key issue is sustainability. When superintendents who support innovation schools move on, their successors do not always share their enthusiasm for school autonomy. Typically, the central office, some of whose members resent the special flexibilities given to innovation schools, tightens the reins as fast as it can. This [happened in Los Angeles](#) after Superintendent John Deasy resigned in 2014, for instance.⁶⁵ But if the schools are operated by nonprofits and empowered by state law to make their own decisions, districts have a harder time clamping down on their autonomy. And if they are part of a zone with a board made up of prominent civic leaders, it is even harder for districts to take their freedom away.

If it is politically impossible to create innovation schools whose employees are not district employees, the best solution is an innovation zone with an independent board, appointed by the district school board. Because they are not elected, zone boards find it easier to close or

replace failing schools. (To be sure they are independent of the district, the state commissioner of education should be required to approve their appointments.) The appointed Empowerment Zone Partnership Board in Springfield, Massachusetts, has replaced schools and principals numerous times in its five years, as noted earlier.

Denver illustrates another reason having an independent zone board is important, if innovation schools are still staffed with district employees. When Denver began opening innovation schools, elements in the central office didn't buy into autonomy. Some regularly violated the innovation plans schools had negotiated with the superintendent. One outstanding high school principal, whose school's academic growth had risen to third in the district in just two years, got so frustrated he threw in the towel.⁶⁶ His successor discontinued many of his initiatives, and the central office continued to ignore waivers the school had secured. Predictably, test scores plummeted.⁶⁷ If the school had been in a zone, its board would have confronted the district and school board, demanded adherence to the innovation plan's terms, and, if needed, initiated legal action to force the central office to back down.

Eventually, a handful of frustrated innovation school principals worked with a former Denver school board president and Empower Schools to convince the board to create an innovation zone with its own board, to give the schools more autonomy and more protection from central office micromanagement. By 2020 there were three innovation zones in the district, with 14 schools. Other districts that have launched zones with their own boards are Springfield, Ma., South Bend, Ind., St. Louis, and Waco, Lubbock, and three rural districts in Texas.

Zones have some advantages. They require fewer board members than a board for each innovation school, for instance. Their staffs can take some operational tasks, such as purchasing and building maintenance, off the hands of school leaders. If all their schools share an educational vision and model, they can help even more, with hiring and other human resource (HR) functions. And if a district is not fully committed to school autonomy and accountability, creating a zone that *is* committed allows at least some schools to benefit from this approach. On the other hand, zone staffs are a visible "extra" expense for the

district. Either model can work well or poorly, depending upon how faithfully it is executed. The decision about which to pursue should depend largely on local realities.

When districts find it politically impossible to make their innovation schools nonprofits or create zones with authorizing boards, they should still try to maximize their autonomy. Many Texas partnership schools have district employees, for instance, but the state does not require teacher tenure or collective bargaining, and the law gives districts wide latitude to hand their partnership schools—which usually fall into the legal category of “in-district charters”—as much autonomy as they please. Denver's innovation schools can negotiate for waivers to almost anything, including the collective bargaining agreement, if at least 60 percent of their teachers vote for it.

Strong innovation school or zone boards are composed of members with diverse personal and professional backgrounds. They often include parents, educators, community members, and business leaders. The board of Purdue Polytechnic High School in Indianapolis, for instance, includes deans from the university, local business leaders, educators, and community leaders. It—not IPS—signed off on the school's project-based, self-paced learning methods. If school management needs adjustments as the model matures, the board will decide without consulting IPS.

In addition to choosing its schools' design, each nonprofit board hires and fires the school principal and sets the budget and pay scale. In Indianapolis, the board is responsible for negotiating the school's performance contract with the district and enforcing its terms. In innovation zones, the zone board usually negotiates a performance agreement with the district that covers each school. School leaders and staff are usually involved in those negotiations, as they should be.⁶⁸

Because they are responsible for ensuring the district does not interfere with the conditions needed for success, boards must be strong, engaged, and unafraid to stand up for their schools' rights. And because they are responsible for public schools and public funds, their meetings should be open to the public.

In Texas, as we noted above, a few districts seem to use partnership schools simply to collect more state money. They created new nonprofits to operate schools, which then hired the existing principal and all the teachers and continued with very few changes. The Texas Education Agency has adopted regulations to prevent such behavior, specifying that any nonprofit operators must have existed, with a functioning board and staff and a coherent academic model, prior to the school being authorized.

Spread the Autonomy Beyond Failing Schools.

In many districts, innovation schools are used primarily as a strategy for turning around chronically underperforming schools. But there is no reason to reserve this strategy for low-performing schools, and when a turnaround school succeeds in improving, it would be foolhardy to take away its autonomy and accountability. All successful schools require serious commitment from their leaders and staff, and that commitment will usually be deeper if they control their own schools.⁶⁹

In Denver, any school can become an innovation school, if the teachers vote for an innovation plan and the superintendent and school board agree. In the first year after Texas's legislation passed, most of the applications for partnership school status involved turning around failing schools. But according to Joe Siedlecki, who oversees the initiative for the Texas Education Agency, every year since then the percentage has gone down. In 2020, only two of 37 applications were for turnarounds. "Districts are using it with stronger schools, often to promote specialized schools or networks with coherent models: international baccalaureate, Montessori, STEM, project-based learning," Siedlecki says. In a few cases, high performing principals applied because they wanted more autonomy.

In Indianapolis, "The original plan was just for failing schools and external partners," IPS Superintendent Aleesia Johnson told us. "But now, some great IPS schools want to have the opportunity to operate autonomously as well—they want to convert from good to great. We also have some that aren't good but want a jumpstart." The IPS school

board agreed. The staff developed criteria for school level "conversions" that allow increased autonomy without complete reconfiguration of staff and curriculum. Under these guidelines, schools graded "A" or "B" by the state are expected to retain about 75 percent of staff and make modest curriculum enhancements. The target for "C" or "D" schools is about 40 percent staff retention and a more dramatically overhauled curriculum. "These C or D schools, they know they aren't killing it," says VanDeWalle, "but they know they could move the needle if they had the flexibility to do other things."

VanDeWalle emphasizes that these are guidelines, not hard and fast rules. IPS again sets the gold standard: other districts should allow existing schools to volunteer for conversion and develop their own plans. Based on her experience, Johnson advises districts to publish clear guidelines for conversion before allowing it, to forestall confusion and manage expectations.

Quality teachers and principals in every district long for more autonomy, because no central office can ever have enough frontline knowledge to make the right decisions at every school.⁷⁰ Freeing them from rules that dictate that they hire a librarian, when they really need a social worker, for example, [improves teacher and administrator morale](#), along with student outcomes.⁷¹ These high-morale employees in conversion schools can become the district's strongest advocates for innovation schools. Because most are long-time district personnel, they have credibility with other teachers and staff. As cheerleaders for autonomy, they often insulate innovation schools from much of the backlash against so-called "outsiders" and "privatizers" that charter schools experience.

Let Parents Choose from a Diversity of Learning Models.

It is well established that different children arrive at school with different needs and learn in different ways. Some are verbal learners, some are hands-on learners, others are abstract thinkers. They have varying degrees of noncognitive skills, such as persistence, self-

control, curiosity, and patience. Some have a learning disability, others are gifted, still others find it impossible to sit still. Luckily, there are dozens of different kinds of schools: project-based learning, dual-language immersion, schools that specialize in science and technology or performing arts or public policy or community service, single-sex schools, neighborhood schools within walking distance, and so on. The trick is building a portfolio of choices that fit your community’s needs.⁷²

When families choose a school that works for their child, students are less likely to resist going to school and are happier and more motivated.

Let Public Dollars Follow Families’ Choices, so Schools Have to Compete.

When schools must compete for students and the funding that follows them, they strive to produce outcomes the district requires and learning models families prefer. Whereas performance contracts create accountability to the school board, which represents the voters, competition creates accountability to the customer: students and their families. If dissatisfied families can withdraw their children and send them to different schools—and the public money departs with them—parents will find a very different attitude among school leaders and staff. They will also find those people working harder to educate their children.

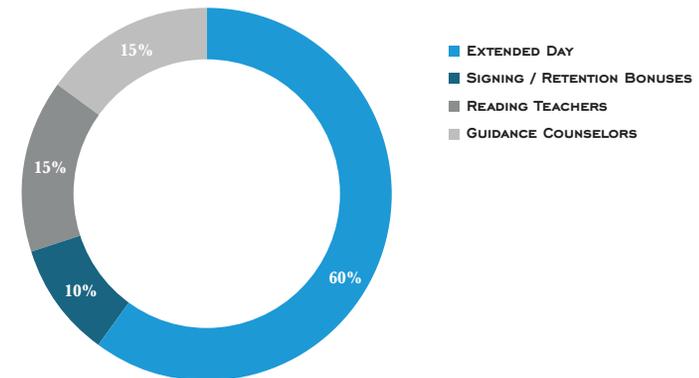
Provide Extra Funding for Turnaround Schools.

Turning around failing schools is the hardest work in public education. Persistently low performing schools that are restarted or converted to truly autonomous schools should be given every chance for success, including extra funding for the first three years.

Consider Memphis’s [Innovation Zone](#), which has been charged with taking schools with test scores in the bottom 5 percent of the state and raising their scores into the top 25 percent.⁷³ Most iZone schools are located in Memphis’s poorest neighborhoods. Most of their 8,790 students (SY 2019-2020) come from economically disadvantaged

families; they are overwhelmingly children of color; and academically, they start far behind. District leaders compare iZone schools to “[intensive care units in a hospital](#).”⁷⁴ To improve student outcomes, iZone schools each [receive about \\$600,000 per year](#) more than regular district schools.⁷⁵ The [money funds extra class time](#), intensive reading remediation, signing and retention bonuses to attract and keep top administrators and teachers, extra coaching to support them, more guidance counselors, and so on.⁷⁶

Figure 8 | Memphis iZone Additional Funding Expenditures



The strategy is having an impact. From 2014-2018, students in 11 of the iZone’s 21 schools posted [double digit test score gains](#).⁷⁷ Seven of the schools moved off the state’s “priority list” of lowest performing schools. In 2019, the school board deemed 13 schools ready to “phase out” of iZone status, so that 11 new schools could “phase in.” By 2020-21, there were 23 iZone schools.⁷⁸

To ensure the original schools did not backslide after the iZone financial supports were removed, they were put into the district’s recently launched “[empowerment zone](#),” where they will receive a lower level of



Photo credit: The Mind Trust

support and monitoring and [some continued autonomies](#).⁷⁹ The schools are all governed by an Empowerment Zone Leadership Council, rather than the district's board. It is composed of about 30 parents, teachers, students, and community members who meet monthly to go over reports about student enrollment and test scores and to ensure they have an active voice in decisions that impact students across the [Empowerment Zone](#).⁸⁰

When appropriating extra funds for turnaround schools, care must be taken to ensure that the incentive won't simply spur cosmetic changes masquerading as autonomy and school redesign, as we noted has happened in a few Texas districts. We think turning around low-performing, high-poverty schools requires extra resources, but we would urge policymakers to design their programs to ensure states and grantors get what they pay for. Based on our conversations with people experienced in using innovation schools to do turnaround work, we suggest about \$1500 per pupil of extra subsidy the first year, \$1000 the

second, \$500 the third, and nothing beyond. Most of the extra expenses come as the school restarts. The checks should go to the schools, not the districts. (Most districts lack the transparency of student-based budgeting, so they can give the money to the schools with one hand but take most of it back with the other, to fund other things.) The schools should be required to send perhaps 10 percent to the district to cover administrative costs.

Steps to Effective Implementation

“Go fast, but don't freak people out.
Start with a single school, or a couple of schools.”
- Mary Ann Sullivan, former IPS School Board Member

Transitioning from a traditional school district characterized by standardization and centralized control to one where at least some schools call their own shots and behave in entrepreneurial and innovative ways requires asking all kinds of stakeholders to take an enormous leap of faith. After all, America has been “doing public education” pretty much the same way for well over 100 years.⁸¹ IPS Superintendent Aleesia Johnson has this advice: “I would tell any other district thinking about embarking on this, learn from other districts who have done it. Make smarter mistakes.” What follows are steps for implementing innovation schools, then “lessons learned” and “do's and don'ts,” from Johnson and many others.

1. Create a Common Vision.

Before any school district embarks upon creating or converting traditional schools to innovation schools, it needs a clear vision and strategy. The superintendent must ensure that his or her school board and cabinet completely understand the vision and buy into it. Without buy-in at the top, it will be “a hard slog” to bring the rest of the central office along, in Seth Rau's words.

2. *Develop an Implementation Plan.*

With a complex transformation effort such as this, there are many moving parts. Your plan should lay out, at a minimum:

- How many innovation schools do you want, how fast?
- How will you handle the fear and create a positive culture amongst teachers and administrators who feel threatened or anxious about the introduction of innovation schools?
- What models of innovation schools will the district adopt (new/ startup, school-based conversion, charter-conversion, etc.)?
- What types of organizations will be eligible to become innovation school operators?
- How will potential innovation school partners be identified?
- What are the criteria for selecting amongst applicants?
- Who evaluates applicants and makes the decision?
- What does the innovation school support office look like, and who will lead it?
- How will the culture in the central office be changed?
- At what point in the process will affected schools, teachers and parents be notified? How will their voices be heard and incorporated into planning?
- What is the plan for communicating with families and resolving their concerns?
- What is the communications and media plan? What happens if there are protests, angry speakers at board meetings, and so on?
- What is the strategy for managing displaced teachers and administrators?
- How will innovation school enrollment be managed?
- What is the planning period for a new or conversion school?
- What does the district-partner financial relationship look like?
- What are aspirational but reasonable performance metrics to set for innovation schools?

“For innovation schools to work, you must have everything in place,” says former IPS board member May Ann Sullivan. “You need every element, and it will be slightly different from place to place.”

Her colleague Jamie VanDeWalle agrees: “If you spend time thinking through all of this before it happens, you’ll save a lot of hours.”

But Elise Kail, chief transformation officer in Midland, Texas, cautions that educators tend to over-plan, and planning shouldn’t slow down this important work. “Expect the pace to be very fast,” she says. “Rather than trying to create a perfect plan up front, be prepared to hit the ground running and to move as quickly as you can and to get everybody on board.”

A good balance is probably right. Or as Kameelah Shaheed-Diallo, a former Mind Trust staffer who is now a partner in The City Fund, puts it, “Offer high quality at the pace of change everyone can stomach.”

Changing the mindset of the central office isn’t easy; it requires a huge cultural shift. Central office staffers have been conditioned to believe that schools cannot be allowed to make certain decisions, because they can’t be trusted or it will cost more money. Most of them are convinced they and their staffs know best.

3. *Secure Buy-in from the Central Office.*

Once the school board and superintendent have decided to create innovation schools and the cabinet is on board, the next step is getting buy-in from the central office. Changing the mindset of the central office isn’t easy; it requires a huge cultural shift. Central office staffers have been conditioned to believe that schools cannot be allowed to make certain decisions, because they can’t be trusted or it will cost more money. Most of them are convinced they and their staffs know best. They often resent it when some schools get “special privileges.” And innovation schools create more work for them, because now they have one set of procedures for most schools, another set for innovation schools. Finally, many of them have seen reforms come and go for years, and they have learned from experience that “this too shall pass.” So they often choose to wait it out.

Yet it cannot work without their active cooperation. “The biggest surprise to me, of all the shocking things I’ve learned on the board, the most unexpected epiphany I’ve had is the outsized influence that central office middle managers have on the day to day to operations of schools,” says Steve Lechelop, a San Antonio ISD board member who advocated for partnership schools. “It is the least discussed critical component, these middle management folks—second and third level people who are actually touching the school buildings, processing stuff. They can bog down schools, prevent them from doing what they want to do. And no one pays attention to these people.” Principals who failed in the past were often placed in central office vacancies, without any training, he discovered—a common practice in urban districts. “But “if you don’t have competent people in these positions, partnerships will fail.”

Converting these folks starts with communication. “We should have put more thought into telling people this was coming, making sure people knew it was coming, even if we didn’t know what it was going to look like yet,” says Johnson. Because IPS “jumped into the deep end of the pool” without clearly and firmly setting expectations for central office staff, people naturally pushed back when changes disrupted their comfort zones.

Once the superintendent and cabinet have made it clear that autonomy for innovation schools is non-negotiable, they need to repeat it until people in the central office believe it. This may be harder for some departments than others. For example, if the academic department feels like schools it has been coaching are being taken away, or if they have to explain coming changes in schools to angry or perplexed parents, they may not embrace innovation schools. Employees who see an increased workload because of the changes will likely also experience a “lack of enthusiasm.”

In addition to just repeating it, district leaders should spend time helping staff understand the new approach, through workshops and discussions. They should be very open about why they decided to create innovation schools, because it’s hard to convince people something is a good idea if they don’t understand it.

The Reinventor’s Fieldbook, by David Osborne and Peter Plastrik, explains more than 25 tools to help change an organization’s culture. Some would work well with central office staff: taking them to “meet the customer,” the people who run innovation schools, and hear from them what the schools need from them to succeed; “job rotation,” which would place them for a few months in an innovation school, as an administrator, and bring school administrators into the central office for a similar amount of time; asking their customers (school leaders) to rate their performance and publicizing those ratings; “celebrating success” when a central office unit does change its attitude and earns high ratings; and so on.⁸²

“Site visits” also work well. Send procurement or transportation managers on a field trip to an innovation school. Let them see the faces of the children who need an after-hours bus ride or observe engaged, enthusiastic students absorbed in project-based learning. They might not be so unbending the next time an unconventional request comes in.

4. Create a District Office to Support and Protect Autonomous Schools.

The introduction of innovation schools will necessitate some degree of adjustment in virtually every department in a school district. Changes in one department will cause unanticipated ripple effects in others. “It’s the little things that break processes, that frustrate the expectations of people whose way has previously been the most efficient,” explains IPS’s VanDeWalle.

For example, innovation schools with longer school days or years may still be entitled, by virtue of their agreement with the district, to school buses—but not on the “normal” schedule. They should not have to fight with the transportation department about this. A district office devoted to supporting innovation schools should resolve the problem for them.

IPS’s Mary Ann Sullivan observes that in big bureaucracies, middle management makes hundreds of little decisions that don’t necessarily come to the superintendent or the school board’s attention. “These can

undermine things,” she says. “It can happen very fast. Sometimes it’s sneaky, sometimes it’s just a mistake, but usually it’s because there’s some middle manager who ‘strongly suggested it.’”

“It takes time and belief at the district to do this well,” adds Sukh Kaur of City Education Partners, a nonprofit that has worked with two San Antonio districts to create partnership schools. “Someone at the district has to be in charge of it, spending the time. And they have to have power over the central office departments, so they can force them to change practices.”

IPS’s innovation school support office has this power, setting policies on delivery of services and ensuring staff understands what they are. It uses cross-functional working groups to evaluate the ripple effects from department to department. And it protected the innovation schools’ autonomy, especially before there was complete buy-in from central office staff.

Innovation school support offices also need to think through which district services innovation schools can opt into, which they can purchase, and which they are required to participate in. In IPS, for instance, innovation schools cannot opt into payroll services, because their employees are not district employees. But they are required to participate in district data collection, because the state and federal governments require it for funding and accountability purposes. Innovation schools can opt into IPS’s IT system, purchasing process, technology upgrades, and food services.

IPS requires innovation schools to use the district’s building maintenance services, since the district owns the buildings. The downside of this policy is that when innovation schools spring a plumbing leak or find their air conditioning on the fritz, they get service on the district maintenance staff’s schedule, which means that in districts less efficient than IPS, they could potentially wait for weeks.

5. To Change the Mentality of Internal Service Units, Take Away Their Monopolies.

The fastest way to change the mindset of central office staff who



Photo credit: The Mind Trust

provide services to schools—such as professional development, food services, and security—is to take away their monopoly and let the schools buy the service wherever they get the best deal. In Midland, Elise Kail reports, “Our superintendent has been saying, if you’re not providing good customer service, these people aren’t going to use you, so I’m going to be asking, ‘Why do I need your department?’” She believes this has helped keep the internal service departments on their toes.

This approach, pioneered more than 30 years ago by the Edmonton School District in Alberta, Canada, has been used by other districts to ensure that principals are empowered and central service offices provide quality services at a fair price.⁸³ The next step is to turn the central service operations into public enterprises, with their own sphere of autonomy, that must earn their money by selling their services to schools. (For details on how to do this, see [The Reinventor’s Fieldbook](#).)⁸⁴

Rob Stein, who was the principal at one of Denver’s first innovation schools, shows how powerful it can be to remove the monopoly:

We were really dissatisfied with food services because none of our kids would eat the food they provided. For the first year or two, we continually gave them feedback, but nothing changed. There was a competing food service company trying to move into town, Revolution Foods. We contacted them and held a taste test, asking students which food they preferred. We presented our results to the food service and told them we were going to contract with Revolution Foods.

To their credit, the DPS food service director eventually asked if he could work on it and put together a competitive bid. He came back with improved menus and we decided to go with the DPS food services. That was a win because choice and competition drove the DPS food service to provide a better meal for our students. They had a huge competitive advantage, because they controlled the kitchens and had infrastructure—transportation, bulk purchasing—all on their side. But before we had a choice, they were not responsive to their customers. After we broke their monopoly, they improved the product and provided better meals to the students.⁸⁵

6. Put Innovation Schools Through a Careful Approval Process.

In places with strong charter sectors, authorizers investigate charter applicants and scrutinize their applications, to ensure that all schools have a strategy for success before they open. In order for innovation schools to be successful, districts should use a similar process, allowing only the most promising applicants to open schools. At a minimum, innovation school applications should include:

- the mission of the proposed school
- the teaching and learning model
- enrollment goals
- a qualified, vetted school leader
- the financial plans for budgets and any needed facility renovation
- specific education goals (test scores, graduation rates, parental satisfaction levels, etc.)
- any other information relevant to the school's success

Charter schools forced to close their doors often do so because of financial problems, so pay close attention to an innovation school's budget, especially if the school operator is taking on debt.⁸⁶ Kail says this was one of the most important lessons Midland learned in the very first year of doing this work. "You'd better have those financial discussions [with potential partners] up front," she says, "or that will crater the whole thing."

Early on, districts should also seek outside help from veteran charter authorizers in screening applications. For example, the [National Association of Charter School Authorizers](#) offers a wealth of resources, including a virtual "authorizing bootcamp" for district leaders new to the process.⁸⁷ It has also handled the vetting process for some districts.

7. When Possible, Choose Proven School Leaders with Track Records of Success.

The single most important factor in the performance of an autonomous school, most experts agree, is the quality of the school leader or leaders. This work is so difficult that no school should be approved if its leader does not already have a track record of proven success at running a school—or at a minimum, has gone through the kind of training or mentoring program described in the next lesson.

SAISD board member Steve Lechelop explains why:

We have nonprofits running innovation schools, but they were not in the K-12 school business. A good example is Relay Graduate School of Education. They are brilliant people, who do what they do incredibly well. If there's any nonprofit who could do a good job and figure this out, it would be them. But they struggled. It really took them two-and-a-half years to right the ship and start making the type of academic progress that we would have liked to see two years ago. This school year we've seen really outstanding things, but it took them awhile. And these are the smartest people in the room. So most nonprofit partners do not have the track record that really truly warrants handing over a school.

8. *Invest in Developing Innovation School Leaders.*

Giving schools autonomy will not improve student achievement if their leaders don't know how to use it to maximum effect. Ensuring that innovation school leaders are fully prepared to lead their schools is a very different proposition from just dropping a school principal into an already up and running school, where they are expected to follow central office directives. Innovation schools need talented leaders prepared to handle tasks—such as managing board governance, setting discipline policies, managing employee performance, and establishing procurement procedures—that are far outside the scope of an average district principal. (If the school is part of a zone, the zone staff can handle some of these.) Because of these new tasks, some nonprofits create two school leaders, one for academics, another for operations.

Rob Stein, now a superintendent, reflects on the lack of management training most principals have. “I think that performance management is a necessary skill for leading a school, zone, or district to improvement,” he says. “With rare exceptions, it's something they teach in business schools but not education schools. The prevalent literature in education leadership over the past several decades has been about instructional leadership. But school leaders need to be like CEOs.”

Districts with successful, established innovation schools can create a pipeline of school leaders by selecting educators with outstanding leadership qualities and giving them a year away from their regular duties and assigning them to experienced, autonomous school principals for mentoring. Denver did this for several years, assigning aspiring principals to shadow effective charter principals for a year, while also visiting outstanding schools elsewhere to learn their magic.

In addition, districts can provide outside training for school leaders, unless their nonprofit partners are in a charter network with its own pipeline. Bellwether Education Partners has done training in 10 districts, [including an entire cohort of innovation school leaders](#) in San Antonio.⁸⁸ They helped new school leaders across six areas of planning and skill building: (1) strategic planning; (2) stakeholder engagement; (3) leadership; (4) governance; (5) partnership; and (6) application

development and authorization. [Topics in these areas included things like](#) budgeting, transparency, how to reallocate their time to suit their new role, how to recruit a strong board of directors to ensure the district delivers on promises of autonomy, how to build leadership teams they will manage, how to develop new and shared staff positions, how to implement a variety of learning models to meet the school's mission, how to recruit talent to deliver them, and how to write and negotiate an operating agreement to maximize autonomy.⁸⁹

Bellwether has concluded that leading an innovation school is not for everyone—that “[even fabulously talented leaders need a lot of support](#) to build new skillsets and shift mindset.”⁹⁰ In other words, with great autonomy comes great responsibility, and it's best to ensure school leaders can handle it.

In Springfield, the Empowerment Zone hired someone from Building Excellent Schools to recruit and coach former charter school principals to run zone schools. The zone paid them for a year to develop “fresh start” schools—new schools, which would grow a grade level each year, within existing schools. Among the five schools created this way are the district's highest performing high school, Springfield Honors Academy, and a dual-language immersion school.

By way of comparison, Denver Public Schools opened its innovation schools without the needed attention to their design or leadership.⁹¹ “Many were opened without principals, without much of an idea of what the schools would be,” says Van Schoales, president of A+ Colorado and a former charter school leader. “It was mainly a way to get out of the union contract. The problem of doing that without a great leader and a plan in place is that you get another crappy school with a bunch of young, inexperienced people that don't know what they are doing.”⁹² Denver learned its lesson and began to give future innovation school leaders a year to develop their plans and build their leadership team, in addition to the mentoring effort mentioned earlier.

The Texas Education Agency has learned the same lesson. “I have encouraged funder groups in Texas to create an incubation entity for the state,” says TEA Associate Commissioner Joe Siedlecki. Siedlecki



Photo credit: The Mind Trust

advises that districts are better off letting an independent entity incubate their new schools. “Otherwise,” he says, “districts can fall into the trap of installing school leaders they know they can direct. Districts want control; it’s a function of the institution.”

The gold standard here is The Mind Trust’s incubation of innovation schools in Indianapolis. Through an agreement with the district, the nonprofit typically [funds and mentors future innovation school leaders](#), for both new and turnaround schools.⁹³ During a two-year fellowship, they are free to devote all their time and energy to planning their school and building their team.

One of The Mind Trust’s primary goals is to increase the diversity of leaders running IPS schools. Mind Trust fellow [Kim Neal-Brannum](#) is a Black, first-generation college graduate from St. Louis who spent almost two decades working in schools where her primarily low-income students of color succeeded on performance metrics. The school reform movement has “neglected to fix inequities in how we educate Black and brown kids,” she believes. Unlike the high expectations set for many of

their suburban peers, urban public schools too often “hand-hold and set low expectations their entire educational career, and then expect them to go out and be competitive.”⁹⁴

After researching Indianapolis schools, Neal thought the city needed a “gifted and talented” high school that would prioritize serving students of color.⁹⁵ But after speaking with more than 100 community leaders and parents during her preparatory fellowship, she learned that they didn’t consider gifted and talented services a priority.⁹⁶ Now, [Neal is building what the community really wants](#): a college-and-career high school in which students will pursue both a high school diploma and an associate’s degree, with a curriculum that emphasizes the development of social and emotional skills and cultural competency.

9. Monitor Progress Throughout the Contract Period Without Micromanaging.

During the contract period, the district should monitor enrollment, academic achievement, special education, finances, and compliance with statutory regulations. If any problems arise, the district should inform the school’s nonprofit board about any shortcomings and require the board to create a formal plan to fix the problems. The district should refrain from suggestions on things like curriculum, teaching or any other “inputs.” The contract outlines the results the school needs to achieve; districts should give schools the freedom to determine how to achieve them. (If the school is in an innovation zone, the zone board and staff should fulfill the oversight role.)

Other Lessons Learned

Communicate, Communicate, Communicate. In any major transformation, confusion will reign. With this one, very diverse stakeholders are involved: families, teachers, central office staff, unions, and external district supporters such as business leaders, community activists, and community organizations. Districts must learn to

communicate the vision and strategy with each of them in a way that will speak to their reality. And they must do it again and again.

“No matter how much you communicate, you’ve got to say it over and over and over,” Elise Kail learned in Midland. “We’ve got stakeholders inside and outside the district, and you’ve got to have two or three different ways of saying it, so everyone understands it from their perspective. We found out that people tune in and tune out based on their own needs, so we have to be very clear and very repetitive in what we’re saying.”

It helps to use multiple media: printed and online messages on a district website; email; social media; press releases picked up by newspapers and television; speeches to organizations in the community; remarks at board meetings; “town hall” sessions; regular sessions with union leaders and their members; and more.

Adopt a “No-Layoff” Policy. Once the district identifies schools that will become innovation schools, if they are not automatically part of the district CBA, the union may come in and “rile up the teachers,” as Mary Ann Sullivan puts it. To neutralize teachers’ fears as much as possible, districts that are succeeding with innovation schools have promised that no teachers will be laid off due to the creation of these schools. Yet when schools are restarted as innovation schools, many of the old teachers will not return to the new school in their old building. (Remember, innovation schools require 100 percent autonomy over staffing.) Districts will have to use creative strategies to ensure that surplus teachers don’t break their budgets.

Indianapolis was prepared to keep all teachers on contract, even if it meant forcing them on a traditional school whose principal did not want them. The state in 2016-2017 had rated 44 percent of IPS schools as D or F, so there was no shortage of schools in need of dramatic transformation. To move aggressively but with control, the district limited potential restart schools (which usually displace most teachers) to the bottom 25 percent of the district. This allowed it to keep “unplaceable” teachers to a manageable number.

IPS also pushed its principals to do more aggressive evaluations of underperforming teachers. Some teachers who received negative evaluations realized they were burned out and retired. The central office human resources department assertively “counseled out” others, or helped them find jobs in neighboring districts. No one was fired, but the district did force place some teachers with principals at traditional schools, which probably undermined their performance.

Districts can also pay for outplacement services for unwanted teachers for a period of time, to help them find another job and/or switch careers. For those near retirement, it can offer early retirement incentives. And for others, it can offer severance packages. Any of these would be preferable to forced placement. While they may sound expensive, the loss of a quality education to thousands of children would be far more costly, in the long run.

Include Innovation School Teachers in District Benefits. Innovation schools will need to recruit many of their teachers from within the district, and schools that convert to innovation status will keep most or all of their staffs. If these people are excluded from the teachers’ retirement plan, they will be nearly impossible to enlist. Ideally the nonprofit partner, as their employer, will pay into the plan at the same rate as the district.

For the same reason, districts should convince their health insurance companies to write policies for the innovation schools that match the district’s policy. IPS, for instance, is organizing an opt-in health insurance consortium for its innovation schools, and its insurance carrier has offered to write the policy to match the district’s.

If the pay is competitive and the benefits are equal, teachers will be more likely to find the lure of school autonomy and a culture aligned to their preferred pedagogy a very good deal, indeed.

Create Diversity by Design—Now More Than Ever. Sixty-six years after *Brown vs. The Board of Education*, researchers have repeatedly documented that the large concentration of poverty in urban schools is the social ill that fuels the achievement gap. But as Amy Stuart

Wells, Lauren Fox, and Diana Cordova-Cobo of Teachers College Columbia vividly demonstrate in [a 2016 Century Foundation report](#), “the benefits of school diversity run in all directions” – meaning middle and upper class students also reap benefits from integration.⁹⁷ “There is increasing evidence that ‘diversity makes us smarter,’” they write. “Elite, private colleges long ago embraced this truth. It is one reason they seek to increase diversity on their campuses by recruiting, providing scholarships, etc. Now, [increasing numbers of parents](#) are coming to appreciate this at the K–12 level.”⁹⁸

Many in the nation are wondering what we can do to turn racial unrest into racial healing. Integrating our schools, so that this and future generations of children learn and socialize with children from many different backgrounds as the norm rather than the exception, is a big part of the answer. Just as we advocate for personalized learning and differentiated instruction to recognize children’s individuality, we also believe that children from different classes and races should spend enough time in each other’s company to learn that beneath our skins, we are all the same.

In 2007, conservatives on the U.S. Supreme Court [struck down voluntary school desegregation efforts](#) in Louisville and Seattle, limiting district efforts to promote racial integration.⁹⁹ But there is no prohibition on socioeconomic integration, which can be a different avenue to the same destination. Some school districts have used an approach called “controlled choice” to ensure that all schools have a balance of income levels. In 2018, San Antonio ISD developed a particularly sophisticated method to use socioeconomic status in awarding seats at schools of choice.

We believe districts should create enrollment systems for innovation (and other) schools that increase their diversity by race and income levels, to the absolute extent permitted by law. For instance, some charter and district-operated schools in Denver are allowed to require that a certain percentage of their students are low-income; the district builds

this into its school choice enrollment algorithm. In addition, DPS has created enrollment zones that combine different income levels, within which parents can choose from among several different schools. Districts should also seek out school operators whose missions create increased opportunity for marginalized populations, such as PPHS’s partnership with Purdue.

You Can Launch Innovation Schools as Neighborhood Schools, Schools of Choice, and Hybrids. Many communities still value the idea of neighborhood schools, especially at the elementary level. In addition, parents of students who attend schools targeted for restart deserve to see their children benefit from the changes occurring

Given segregated residential patterns, the more choice you can offer, the more prospects you have for integrated schools. And if you want to offer different types of learning models for different children, a significant degree of choice is necessary.

at their previously neglected school. Likewise, creating quality schools for parents who do not choose a school should be an integral part of any district’s equity plan. So keep in mind that innovation schools can be a mix of school types: choice, neighborhood, and hybrids that give preference to students who live nearby but reserve some seats for others. Given segregated residential patterns, the more choice you can offer, the more prospects you have for

integrated schools. And if you want to offer different types of learning models for different children, a significant degree of choice is necessary. (Imagine your artistic child assigned to a STEM school and your science lover assigned to a performing arts school and you will instantly understand why.) Ultimately, however, communities should choose what fits their needs best.

Do's and Don'ts

Do Give Districts Training in How to Authorize Innovation Schools. Most school boards, superintendents, and central offices know very little about how to authorize a school: how to solicit proposals from potential operators, how to vet them, how to negotiate performance contracts, how to monitor them, and how to do periodic reviews to see if the school should remain open or, if the operator is doing extremely well, perhaps open another school. Texas has created an Authorizer Leadership Academy, to provide training delivered by the National Association of Charter School Authorizers, the national expert on this. According to Joe Siedlecki of the Texas Education Agency, it has been of great value.

Do Require Districts That Want to Create Innovation Schools to Do a “Seats Analysis” and a “Portfolio Plan.” The state training just recommended should help school boards and superintendents learn how to think strategically about their portfolio of schools. Is there high demand for certain types of schools, indicating the district should create more? Which schools have the least demand and could be phased out to make room for more valuable offerings? How do you analyze the mix of schools you offer and see where you need more seats, where you need fewer, and what kind of schools you should expand? What kind of portfolio do you have today, what kind of portfolio do you want to have in five years, and how will you get there? All districts should think this way, but it is rare. By requiring it and providing training to teach district leaders how to do it, the state could improve the quality of education in many districts.

Do Provide Training and Ongoing Support to the Nonprofit Boards of Innovation Schools and Zones. Being on the board of an innovation school will be a new experience for almost everyone. These boards play an extremely important role, but they are rarely prepared for the job. In the charter sector, for instance, many boards have been initially made up of “friends and family of the founder”—it happened often enough that they became known as “FFFs.” But charters have

quickly learned that they need real expertise: about financial issues, real estate, HR policy, and always educational challenges. A group called [Education Board Partners](#) began offering training and support to boards in D.C. and has expanded to other cities. Innovation school boards will need similar training and support—including help in finding the right members. The state should contract with experienced organizations to provide this training and support, as Texas already does.

Don't Limit Your Thinking to What You Already Know. We are aware of dozens of different kinds of public schools. Most district staff have never imagined some of them: internship-heavy high schools; tutoring-intensive schools; peer learning schools; intensive writing schools; single-sex schools; schools for adults; schools for adults and their young children; schools with intense therapeutic help for children and families who need it; schools that seek to celebrate a cultural heritage, such as Afrocentric or Native American schools; residential schools for high-need students; schools for children who have experienced trauma or been in foster care; recovery schools for students with addictions; military and maritime academies; and on and on.

“I think the biggest lessons are don't limit yourself to what you already know, because the opportunities are wide open for how this can work, and you've got to think so much differently,” says Midland's Elise Kail. Seth Rau, who has worked with Midland and other districts, emphasizes that you should look for school leaders who don't want to keep doing things the same old way, particularly those from the charter world, where the kind of out-of-the-box schools we've just listed exist.

Cast a wide net for talent. You have more than you know in your community. Mariama Shaheed was a principal in an Indianapolis district other than IPS, with no thought of creating an innovation school. But when The Mind Trust's David Harris told her that's exactly what she should do, a light bulb went off. Several years later, she created Indianapolis's [first dual language immersion school](#), a great success.

Do Encourage Teacher-Run Schools in Your Portfolio. Teachers are in charge of at least [110 public schools in 18 states](#); most, but not all, are charter schools.¹⁰⁰ Studies show that the average teacher reaches maximum effectiveness after about five years in the classroom,

but [nearly half of all teachers leave the profession within five years](#).¹⁰¹ We are losing talent we desperately need, and one reason is that so many teachers feel disempowered. In 2018, [Gallup reported](#) that of 12 professions, teachers were the least likely to agree that “at work, my opinions seem to count.”¹⁰²

Putting teachers in charge of autonomous innovation schools, with real decision-making power about hiring, promotions, firing, budgets, pay levels, curriculum, and scheduling is one way to fix that. Not only that, but research shows that “schools that incorporate teachers into the leadership process also have better student performance,” [according to Dr. Richard Ingersoll](#), who researches and writes about teacher empowerment at the University of Pennsylvania.¹⁰³

When [teachers run their own schools](#), they often encourage students to work on projects they choose: building robots, writing plays, researching why bees are dying off by the millions.¹⁰⁴ “We’re competing against Xbox 360, and over-scheduled days with soccer practices and very dynamic lives,” [says Kartal Jaquette](#), lead partner of 16 teachers who run the Denver Green School Northfield.¹⁰⁵ “Are you almost as interesting as a video game? Are you getting almost as much attention as a soccer coach might? Is it as much fun? Because if not, they’re going to tune you out.”

Teachers, who are closer than any other district staff to students, are in the best position to know what their students respond to and what will bore them. If they have control over how to teach their students, it’s a win-win.

Do Consider Creating a State Board to Oversee District Authorization of Innovation Schools, Once There are Significant Numbers. As we have explained, some districts will authorize an innovation school, negotiate a contract that lays out autonomies granted and expected performance, then proceed to violate that contract. Those schools need to be able to turn to the state to force districts to honor their contracts. They should be able to appeal to the state department of education, but once there are a significant number of innovation schools, you might want a new state board dedicated to overseeing

innovation schools. It could also hear appeals when school leaders feel that districts have not renewed their schools for unfair reasons.

Some districts will be reticent to close innovation schools that are failing. But without the threat of closure, school staffs will lose the urgency needed to create excellent schools. And the community will lose the benefit that comes from weeding out the weakest and replacing them with stronger schools. A new state board could monitor this, and when districts failed to hold their innovation schools accountable in a meaningful way, it could penalize them. It could even take back some of the extra subsidies that had been given to all innovation schools, thereby creating a reason for healthy schools to want failing schools replaced.

This new state board should be democratically accountable, but it should be insulated from political pressure districts might bring to bear on elected officials. Its appointments could be spread out between the secretary or commissioner of education, the governor, and the leaders of the two legislative houses, with staggered terms for members, so no one could replace the entire board quickly. Such a board could function with a small staff, outside any civil service system, whose rules might make it hard to find the right talent.

Winning the Political Battle

Nobody wins unless innovation schools win the political battle. People naturally resist change, particularly those who now have privilege and power, such as central office middle managers and teachers union leaders. Both can be won over, but it can be a protracted process. The following will help lead innovation school advocates to victory.

Make Sure You Have Your Ducks in a Row. To change the public education system as fundamentally as innovation schools do, you have to secure overwhelming political support. You need to get the school board, superintendent, and in some cities the mayor and local political and civic organizations all aligned behind a vision of school autonomy, accountability, diversity, and choice. At the state level, to pass

enabling legislation you need to win support in both legislative houses and the governor's office. And it helps a great deal if you have a school incubator, such as The Mind Trust, in place.

Prove Change is Needed. School districts normally have zero motivation to tell parents that the district is doing a bad job educating their children. This is one reason there is always such an uproar when superintendents announce that a school is being reconstituted or replaced, even when the children stay in the same building. Parents may see peeling paint and badly worn textbooks, they may hear about behavioral disruptions, but they likely don't know their child's school is amongst the worst in the state.

Opponents will often accuse reformers of “trying to privatize the public schools” and “use the kids as guinea pigs.” The response is: Creating innovation schools is part of a strategy to offer poor and working-class families something wealthier Americans have always had—the power to choose a high quality school for their children.

As Osborne and Plastrik wrote, someone “[must show the public how little the emperor is wearing](#).”¹⁰⁶ Usually it is an outsider, such as the state. In Camden it was Governor Chris Christie, who pushed through

a state takeover of the district. In San Antonio, however, it was the school board that decided the district needed fundamental change and hired a superintendent willing to lead that effort. In Indianapolis, it was a 2011 report from The Mind Trust that laid out the problems and proposed a system of autonomous schools. “It's not an accident that” the very next year, The Mind Trust's Kristen Grimme points out, “we had a school board race where everyone had to answer a question on autonomous schools.”

Sometimes it is not crisis but opportunity that motivates district leaders to act. In Ft. Worth, Texas, the district had begun to turn around five schools using a model that originated in Dallas, called ACE, for

[Accelerating Campus Excellence](#). To get the flexibility and extra money it needed to continue the progress, it created a zone of partnership schools, run by Texas Wesleyan University.

Seize the Moral High Ground. Opponents will often accuse reformers of “trying to privatize the public schools” and “use the kids as guinea pigs.” The response is: Creating innovation schools is part of a strategy to offer poor and working-class families something wealthier Americans have always had—the power to choose a high quality school for their children. Force opponents to defend an inequitable system that denies poor families a quality school. If you stay with that argument, they will quickly realize their position is, literally, indefensible.

Mariama Shaheed advises presenting the data about performance and depersonalizing the argument by emphasizing the need for widespread change, rather than change targeted at a single school or group of students. Her favorite “moral high ground” tactic is, “Imagine if we just did nothing.”

Keep the Message Simple. Grimme says in Indianapolis, the district and reformers didn't take control of the narrative early enough, because “we had our heads down, doing the work.” But once they got into the messaging game, it wasn't difficult. “This is not about state policy, it's not about legislation,” she says. “The question that needs to be asked is, ‘*Should a teacher be able to do what they know they need to do in a classroom?*’” How can the union legitimately say they are against giving more decision making authority to the people they are supposed to protect?”

That is a good example of a simple message, but not the only possible one. The important point is: Stay away from complexity and abstraction. Talk in simple terms about things parents want for their children and teachers want for their schools.

Find Credible Partners. In Indianapolis, the Chamber of Commerce and other business leaders were crucial partners in pushing through innovation schools. But [Stand for Children](#), a grassroots advocacy group, was also important. [The Institute for Quality Education](#), which does research and empowers families with information about

their choices and scholarship money, also played a role.

Creating a nonprofit organization like [The Mind Trust](#), which will set a long-term vision for the schools that remains steady even when political winds shift, is also important. These organizations are also known as “quarterbacks,” because they coordinate the players, even if they do not always run the ball. The quarterback helps create the ecosystem, usually over a period of years, in which reforms can take root. About 30 different cities have similar organizations. Some examples: [The Memphis Education Fund](#), [New Schools for New Orleans](#), and [City Education Partners](#) in San Antonio.

David Harris launched The Mind Trust after serving as Mayor Bart Peterson’s charter school director at City Hall. His successor, Brandon Brown, emphasizes how important it is to be affiliated with local, credible influencers who will serve as champions for the cause. Because The Mind Trust “basically launched out of City Hall, and the Mayor agreed to be the chairman of the nonprofit’s board of directors, we had instant credibility with civic leaders that you need to quickly raise money,” he says.

Several national organizations partner with local leaders to help them create innovation schools and zones, as well. Perhaps the most active is [Empower Schools](#), which has helped 10 districts in five states design and launch 14 zones. Bringing in national expertise for the design and launch ensures that local leaders will learn about best practices and lessons learned through past experience. It also introduces a neutral outside party, which is often helpful in establishing the credibility of the effort.

Develop Champions in Both Parties. Leaders in Indianapolis put together a broad, nonpartisan coalition to create innovation schools. Denver’s leaders did likewise. Ditto Camden. It is more important than ever to recruit Democrats to the cause, as teachers unions have opposed many of the reforms pushed by Democrats like President Clinton and Obama and convinced many Democratic candidates to do likewise. Many Democrats want to see changes within the education system rather than competition from outside, in the form of charters and

vouchers, and innovation schools fit that bill.

Organize Constituencies that Would Benefit from the Reform. The teachers unions are well organized and funded, and if innovation schools are not automatically included in a district CBA, they will usually oppose them. Meanwhile the families who would benefit from autonomous school choices are not organized. So you have to consciously build a series of constituencies: parents, business leaders who want better schools, perhaps charter school leaders and parents, since innovation schools could present an opportunity for them to expand without having to finance another building. Finally, recruit teachers dissatisfied with the status quo to the cause.

Emphasize Educator and Community Empowerment. Innovation schools and zones allow educators, both principals and teachers, to make the key decisions that drive school success—and to change them as fast as necessary, to get better results. Educators, most of whom thirst for such opportunities, can be powerful allies in this work. In Springfield, zone teachers have voted twice for the collective bargaining agreement that provides them more voice and differentiated compensation, most recently by a 93-7 percent margin. School leaders who are successful in this work, such as the founders of Denver’s three zones, can also bring considerable political strength.

Further, autonomous schools and zones can be far more responsive to their local communities, because they include respected civic and community leaders on their boards. These are winning messages.

Engage the Community. As we mentioned, until it’s time to convert a traditional school to an innovation school, no school district advertises to the community how poorly their schools are faring. The news often comes as a surprise, which can quickly turn to shock and anger. Leaders in Indianapolis learned this the hard way when the district released a list of failing schools, all at once. “The typical reaction is, ‘Why did you let us fail for so long and then just come in and restart the school?’” says Jamie VanDeWalle. But they learned from that unpleasant experience, and now district leaders are trying to keep parents and other stakeholders apprised of each school’s progress, or

lack thereof. If a school is potentially ripe for conversion, IPS intends to start preparing parents earlier.

Once the nonprofit is selected that will manage the school, IPS encourages it to hold events in the community, to be visible, to meet as many parents as possible. Fear of the unknown is fuel for resistance, and once nonprofit partners engage with the community, the fear eases or sometimes dissipates, even to be replaced with excitement. Before she opened her dual-language immersion school in Indianapolis, Mariama Shaheed held six parent meetings, but only 23 parents showed up. So she had a family move night, a magic show, an outdoor movie, a block party, and a carnival, and she and her teachers did home visits. Whatever it takes!

Show People Successful Innovation Schools. Many—if not most—low-income, urban parents have never seen a high-functioning public school. Find one in your area and ask for a tour for parents. Once parents see what their children are missing, they will likely become vocal advocates for the cause.

Reformers in Denver did school tours often, particularly for elected officials. And The Mind Trust has repeatedly organized bus tours for parents, so they can visit quality schools and understand what their children are missing.

This strategy can be particularly helpful with parents whose children are in schools targeted for restart as innovation schools. VanDeWalle describes restarts as “dropping a bomb: the curriculum changes, the teachers change, the principal needs to find a new job, etc. It leads to a lot of sadness and confusion.” She says it gets better when the new school partner is identified and can begin interacting and building relationships with parents. If the partner is an existing school operator, organize a field trip so families can see one of its schools.

Sell Results, not the Process. Sometimes reformers try to engage the public in a discussion about the process of change: how the new system will work. This is occasionally appropriate, but most people care far more about results. Parents want their children to get a good education; teachers dream about controlling their own destinies; local officials want



*Global Preparatory Academy founder and CEO
Mariama Shaheed works with a student.*

Photo credit: The Mind Trust

to get credit for dramatically improving schools; homeowners want to maintain their homes’ value; the business community needs a prepared local workforce. Everyone in the community has a stake in the quality of its public schools. Find the result that appeals to each constituency and hammer it home.

Sell Your Side of the Story to the Media. Most of the media is understaffed. Reporters, editors and producers accept press releases, cover news conferences, and run paid placements masquerading as editorial content because it is faster and easier than investigating and digging to get a full story.

Reformers too often make the mistake of waiting for the media to find them and their stories. Instead, they should find good stories and feed them to the media. Dramatize them with real-life people and conflicts, and back them up with data. Spoon feed them to reporters.

Conclusion

None of this is easy. But as experience in cities as diverse as Camden, Indianapolis, Denver, Springfield, and San Antonio has shown, it works. It can transform the lives of urban children, many of whom would have no opportunity for a decent life without a quality education. That is why it is worth the fight.

One last lesson: Don't compromise any of the fundamentals, such as true school autonomy, real accountability, a diversity of learning models, choice for families through a system they find accessible and easy to use, and funding that follows children, so the schools have to compete.

Compromise is always necessary in politics. But if you compromise on the fundamentals, you may guarantee failures that come back to haunt you. Early on, poorly structured charter school laws or badly managed authorizing in some places—notably Ohio, Michigan, and Arizona—spawned a rash of weak charter schools. Some were corrupt, others just incompetent or unprepared for the task at hand. But both gave the entire sector a black eye, making it more difficult for good charter schools to spread. They handed charter opponents ugly newspaper headlines to use as ammunition. Although authorizing has grown stricter nationally and these three states have tightened up their laws and practices, to some degree, the sector still suffers from early misdeeds.

The same could happen to innovation schools. In Denver, less-than-robust autonomy led to disappointing results in the early years. In Texas, loopholes in the law have allowed some districts to implement schools that have autonomy and innovation in name only. That could backfire, discrediting the entire concept.

Rather than compromise the fundamentals, it is wiser to wait for a chance to pass better legislation or implement a better model. But when the stars do finally align, don't hesitate. Our children all deserve quality schools, and particularly in the light of 2020's crises, we have no time to waste.

MODEL LEGISLATION: INNOVATION SCHOOLS ACT

CHAPTER 1. GENERAL PROVISIONS

(a) Applicability

- (1) This article is applicable to all school districts.

CHAPTER 2. FINDINGS

(a) The Legislature hereby finds that:

- (1) [STATE's] system of vesting responsibility in local school boards for the delivery of public educational services recognizes that instruction must be tailored to the specific population of students served;
- (2) to further customize education to students' needs, [STATE] school district boards of education are granted the authority to accord their schools maximum autonomy to foster innovation;
- (3) our intent is to empower school leaders and faculty to most effectively and efficiently meet the needs of their students;
- (4) the legislature also recognizes that freedom from burdensome regulations and control over resources is a factor in attracting and retaining high quality school leaders and teachers, both of which are frequently in short supply in [STATE].

CHAPTER 3. DEFINITIONS

(a) **Applicability of definitions**

- (1) The definitions in this chapter apply throughout this article.

(b) **"school board"**

- (1) "School board" means the elected governing body of a public school district.

(c) **"department of education"**

- (1) "Department of education" means the [STATE] body assigned to regulate public school districts.

(d) **"eligible school"**

- (1) "Eligible school" means a school that is part of a school district.

(e) **"innovation school"**

- (1) "Innovation school" means a school that is a member of a public school district but is governed by an innovation school board or an innovation zone board independently of the school district board,

(f) **"innovation school board"**

- (1) "Innovation school board" means the board of directors of the 501(c)3 not-for-profit organization responsible for the operations of an innovation school or group of innovation schools within a school district.

(g) **"innovation zone"**

- (1) "Innovation zone" means a 501(c)3 organization, with a board of directors and a staff, that authorizes and oversees a group of innovation schools within a school district that do not have their own individual boards of directors.

(h) **"innovation zone board"**

- (1) "Innovation zone board" means the board of directors of the 501(c)3 not-for-profit organization responsible for authorizing and overseeing a group of innovation schools within a school district.

CHAPTER 4. ESTABLISHMENT OF INNOVATION SCHOOLS AND ZONES

(a) **Anti-discrimination**

- (1) An innovation school is subject to all applicable federal and state laws and constitutional provisions that prohibit discrimination.
- (2) School boards may include provisions designed to enhance socio-economic integration of [STATE] public schools in their agreements with innovation school boards and innovation zone boards.

(b) **Autonomy for Innovation Schools**

- (1) School district boards of education are authorized to give innovation schools independence from state and district rules and collective bargaining agreements that in traditional schools dictate school model and design, curriculum, pedagogy, personnel decisions, calendars, budget, operations, and provisions that generally organize the day-to-day delivery of educational services. (This does not include state and federal laws and rules related to discrimination, safety, and health).
- (2) Recognizing the critical role that teachers play in educating children, innovation schools shall control all personnel decisions. Innovation school boards and zone boards shall select school leader(s), and those leaders shall select all other school staff. No innovation school, whether its staff are employed by the district or by a 501(c)3 organization, shall be forced to hire or retain any teacher or staff member.

(c) District Training and Certification to Establish Innovation Schools and Zones

- (1) The [STATE Board of Education] shall contract with an experienced authorizing organization or organizations to provide training to district school board members and relevant staff members, including the superintendent, on authorizing innovation schools and zones, in districts that want to authorize innovation schools or set up innovation zones.*
 - (A) School districts may not authorize innovation schools or zones until they have undergone this training and have been certified to authorize innovation schools and/or zones by the organization providing the training.
 - (B) As part of the training, school districts shall be required to perform an analysis of whether they have the correct number and kind of schools and seats to meet the needs of their students.
 - (C) As part of the training, school districts shall be required to develop a portfolio plan, outlining what mix and number of educational models the district intends to create to meet the needs of its community.
 - (D) As part of its training, a school board shall develop and memorialize its review and approval process for determining innovation school partner applicants' competency, and shall file said memorialization with the state department of education, or a school board shall declare its intent to engage a state approved charter school authorizer for assistance in determining applicant competency.
- (2) [STATE Department of Education] shall have the right to revoke a district's right to have innovation schools if that district is found to have employed this statute for discriminatory purposes, or to secure extra funding without granting innovation schools the autonomy and accountability required by the statute.

* See the Guide to Implementing Innovation Schools p. 66.

(d) Innovation School Models

- (1) An innovation school may be established by a school board when it:
 - (A) restarts a failing district school as an innovation school in accordance with Ch. 4 (f)(2);
 - (B) permits an existing, non-failing district school to convert to innovation status in accordance with Ch. 4(f)(1);
 - (C) creates a new start-up innovation school established in accordance with Ch. 4 (f)(1); or
 - (D) partners with an existing charter school that chooses to become an innovation school in accordance with Ch. 4 (f) (3).

(e) Innovation School Application and Approval Process

- (1) A school board shall accept applications from any qualified secular 501(c)3 or institution of higher education that meets the qualifications in Ch. 4 (e)(2) and desires to enter into a partnership to operate a district school as a new innovation school.
 - (A) A school board is not required to approve any application.
 - (B) Denied applications may be resubmitted.
- (2) A school board may accept applications from 501(c)3 organizations or institutions of higher education provided that the proposed school leader or leaders have at least two (2) years of documented, effective school leadership experience,* unless:
 - (A) the school leader(s) has completed the appropriate training course with a department of education-approved school incubator; or
 - (B) the school board applies to the department of education and is granted a waiver under circumstances where the applicant is extraordinarily qualified.
- (3) A school board may enter into an innovation school contract

* See the Guide to Implementing Innovation Schools p. 57.

with an applicant that is a nonprofit charter school operator only if:

- (A) the charter of the charter school has not been previously revoked or denied charter renewal for failure to meet academic goals or financial or legal problems;
- (B) for the three (3) school years preceding the charter school's application, the charter school has an overall performance rating of [the equivalent of satisfactory, or C in an A-F grading scheme] or higher under [STATE CODE subsection]; and
- (C) for the three (3) school years preceding the charter school's application, the charter school has a financial accountability rating of [the equivalent of satisfactory] or higher under [STATE CODE subsection].

(f) Innovation School Formation

- (1) If a district school that is rated [the equivalent of satisfactory] or higher in accordance with the [STATE School Assessment Act] seeks innovation school status and wants to keep some or all of its current employees,* the school board may:
 - (A) grant innovation school status to an independent board of directors and enter into an agreement with an external partner that meets the requirements in Ch. 4(e) to operate the school and hire some or all of its former district personnel.
 - (i) If a school is a member of an innovation zone with an independent board, its employees may remain district employees.
 - (B) grant innovation school status to an independent board of directors and enter into an agreement with that board to operate the school and hire some or all of its former district personnel.
 - (i) If the school is in an innovation zone with an independent board, its teachers may remain district employees.
 - (C) The school board shall consider granting innovation status

to a school under this subsection when application is made by:

- (i) a majority of teachers employed at the school; and
 - (ii) the school's principal.
- (2) If a district school has received an academically unsuccessful performance rating for at least two (2) consecutive school years, in accordance with the [STATE School Assessment Act], the school board may:*
 - (A) restart the school as an innovation school governed by an independent board of directors and operated by a 501(c) 3 organization that meets the requirements in Ch. 4(e);
 - (B) restart the school as an innovation school governed by an independent board of directors and operated by former district personnel, upon approval from the department of education. (If the school is in an innovation zone with an independent board, its teachers may remain district employees).
 - (C) Innovation restart schools pursuant to (A) and (B) of this subsection shall not displace any former student from the school who still wants to attend it, unless that student has graduated or been expelled.
 - (3) If a district enters into a partnership with a charter school to operate as a district innovation school, all of the provisions of this statute shall apply to the charter school as to other [STATE] innovation schools, and these provisions shall supersede those of the state charter school statute, wherever the two statutes are in conflict.
 - (A) The school board may enter into an agreement with a charter school organization to restart an eligible school as a participating innovation-charter school or to establish a new innovation-charter school at a location selected by the board within the boundaries of the school district, including a vacant district school building.

* See the Guide to Implementing Innovation Schools p. 44.

* See the Guide to Implementing Innovation Schools p. 39.

- (B) The school board may grant innovation school status to a charter school with its own facility.
- (4) If an agreement is entered into under subheading (1), (2) or (3) of this subsection, the school board shall notify the department of education that an agreement has been entered into under this section within thirty (30) days of entering into the agreement.

(g) Innovation Zone Formation

- (1) A school district board may grant innovation zone status to an independent board of directors of a new 501(c)3 organization and enter into an agreement that allows that board to oversee a number of innovation schools and/or authorize new innovation schools.
- (2) A school district board may designate specific innovation schools to become members of an innovation zone, designate existing district-operated schools to convert to innovation school status as members of an innovation zone, designate willing charter schools to become innovation schools and members of an innovation zone, assign restart schools to an innovation zone, and/or assign new start-up schools to an innovation zone.

CHAPTER 5. INNOVATION SCHOOL AND INNOVATION ZONE AGREEMENTS

(a) Establishment of an Innovation School: Agreement Terms

- (1) The school board shall enter into a written agreement with an innovation school board, or an innovation zone board shall enter into a written agreement with a school leader, to establish an innovation school or to restart an eligible school as an innovation school pursuant to provisions in Ch. 4 of this act.
- (2) The agreement shall be five (5) years in length.
 - (A) Subsequent agreement renewals may be extended for seven (7) years.

- (3) The agreement shall be a performance agreement with clear metrics for innovation school accomplishment.

(b) Renewal of an Innovation School: Agreement Terms

- (1) The five (5) year agreement shall automatically renew if the innovation school has met the performance terms of the agreement.
- (2) If the innovation school fails to fulfill the terms of its agreement with the district or zone board in relation to performance metrics, the district or zone board may deny renewal of the innovation school agreement at the end of the contract term.*
 - (A) The district or zone board shall notify the innovation school of non-renewal no later than 180 days before the end of the agreement's term.
 - (B) The innovation school board shall notify the school district board (and zone board, if it is part of a zone) no later than 180 days from the date of renewal if it intends to allow the agreement to expire.
- (3) The district or zone board may renew an innovation school that has not met all the performance goals in its agreement for fewer than five years if its academic growth is greater than the district's average growth.

(c) Appeal of Innovation School Non-Renewal: Agreement Terms

- (1) If the innovation school board finds the non-renewal decision is inappropriate or unjust on the merits, it may appeal that decision to the [STATE Commissioner/Superintendent of Education], who shall:
 - (A) analyze the case; and
 - (B) issue a decision upholding or reversing the decision.

* See the Guide to Implementing Innovation Schools p. 35-36.

** See the Guide to Implementing Innovation Schools p. 33-34.

(d) Additional Terms: The Terms of the Innovation School Agreement Must Overtly State the Following:

- (1) Declaration that the innovation school board and leadership shall have a blanket grant of autonomy over all financial, operational, managerial and academic activities of the innovation school.**
- (2) Declaration that the innovation school shall be a member school of the school district and is not established as a separate local educational agency.
- (3) Declaration that all innovation school leaders and staff shall be employees of the 501(c)(3) innovation school board, and shall not be employed by the district.
 - (A) This provision is waived when the innovation school is a member of an innovation zone governed by its own board separate from the elected school board.
- (4) Declaration that the innovation school board shall authorize the [STATE Department of Education] to include the innovation school's performance assessment results when calculating the school district's performance assessment under rules adopted by the state board.
- (5) The amount of state, federal, and district funding that will be distributed by the school district to the innovation school.
- (6) The innovation school's agreed performance deliverables and metrics.
- (7) The identities of the innovation school board members.
 - (A) This provision is waived if the innovation school will be governed by an innovation zone board.*
- (8) The innovation school's enrollment policies.
- (9) Grounds for termination of the innovation school agreement, including the right of the district and/or zone to terminate if the innovation school board consistently fails to:
 - (A) comply with the conditions or procedures established in the agreement;
 - (B) meet generally accepted fiscal management and government accounting principles;

- (C) comply with applicable laws.
- (10) Grounds for termination of the agreement by the innovation school board, including the right of termination if the district or innovation zone board or staff habitually violates the innovation school's autonomies in breach of the agreement.

(e) Statutory Remedy for Breach of Terms by a School District or an Innovation Zone Board: Terms

- (1) If the school district or innovation zone board fails to honor its commitments in the agreement with an innovation school, the innovation school board may appeal to the [STATE Commissioner/Superintendent of Education].
- (2) Upon a finding of breach of the agreement by the school district, the [STATE Commissioner/Superintendent of Education] shall order the school district to honor its commitments to the innovation school.
- (3) If, after one year or more, the [STATE Commissioner/Superintendent of Education] finds that the district or zone is still failing to honor its commitments to the innovation school, the [STATE Commissioner/Superintendent of Education] may financially penalize the school district.

(f) Establishment of an Innovation Zone: Agreement Terms

- (1) The school board shall enter into a written agreement with a nonprofit innovation school zone board to establish an innovation zone.
- (2) The agreement shall be five (5) years in length.
 - (A) Subsequent agreement renewals may be extended for seven (7) years.
- (3) The agreement shall be a performance agreement with clear metrics for the performance deliverables of the zone's member schools.

* See the Guide to Implementing Innovation Schools p. 42.

(g) Renewal of an Innovation Zone: Agreement Terms

- (1) The five (5) year innovation zone agreement shall automatically renew if the innovation zone has met the performance terms of the agreement.
- (2) If the innovation zone fails to fulfill the terms of its agreement with the district school board in relation to performance metrics, the district board may deny renewal of the innovation zone agreement at the end of the contract term.
 - (A) The school district board shall notify the innovation zone of non-renewal no later than 180 days before the end of the agreement's term.
 - (B) The innovation zone board shall notify the school district board no later than 180 days before the date of renewal if the innovation zone intends to allow the agreement to expire.
- (3) The school district board may renew an innovation zone that has not met all the performance goals in its agreement for fewer than five years if its academic growth is greater than the district's average growth.
 - (A) As a condition of continued operation, the school district board may require action by the innovation zone board including: (i) closure; (ii) replacement; or (iii) reconstitution of its lowest-performing schools.

(h) Appeal of Innovation School Non-Renewal: Agreement Terms

- (1) If the innovation zone board finds the non-renewal decision is inappropriate or unjust on the merits, it may appeal that decision to the [STATE Commissioner/Superintendent of Education], who shall:
 - (A) analyze the case; and
 - (B) issue a decision upholding or reversing the decision.

(i) Additional Terms: The Terms of the Innovation Zone Agreement Must Overtly State the Following:

- (1) Declaration that the innovation zone and its member schools shall have a blanket grant of autonomy over all financial, operational, managerial and academic activities of the school(s).
- (2) Declaration that the innovation zone shall be a member of the school district and is not established as a separate local educational agency.
- (3) Declaration that innovation zone staff and school leaders shall be employees of the zone, but innovation zone school employees may be employees of the zone or may be employees of the district.
- (4) Declaration that the innovation zone board shall authorize the [STATE Department of Education] to include the zone schools' performance assessment results when calculating the school district's performance assessment under rules adopted by the state board.
- (5) The amount of state, federal, and district funding that will be distributed by the school district to the innovation zone to fund the operating costs of its board and staff.
- (6) The innovation zone's agreed performance deliverables and metrics.
- (7) Grounds for termination of the agreement, including the right of the district to terminate the innovation zone if its staff or board consistently fails to:
 - (A) comply with the conditions or procedures established in the agreement;
 - (B) meet generally accepted fiscal management and government accounting principles;
 - (C) comply with applicable laws.
- (7) Grounds for termination of the agreement by the innovation zone board, including the right of termination if the district habitually violates the innovation school's autonomies in breach of the agreement.

(j) Statutory Remedy for Breach of Terms by School District: Terms

- (1) If the school district fails to honor its commitments made in the agreement, the innovation zone's board may appeal to the [STATE Commissioner/Superintendent of Education].
- (2) Upon a finding of breach of the agreement by the school district, the [STATE Commissioner/Superintendent of Education] shall order the school district to honor its commitments to the innovation zone.
- (3) If after one year or more the [STATE Commissioner/Superintendent of Education] finds that the district is still failing to honor its commitments, the commissioner may financially penalize the school district.

CHAPTER 6. INNOVATION SCHOOL AND ZONE GOVERNANCE

(a) Innovation School and Zone Board Composition

- (1) Innovation school boards and innovation zone boards shall be composed of at least five (5) but not more than nine (9) members.
- (2) Innovation school boards and innovation zone boards alone shall oversee their innovation schools.
- (3) Innovation school boards and innovation zone boards shall be organized as 501(c)3 not-for-profit entities.
- (4) Innovation school boards and innovation zone boards shall be broadly representative of the gender, racial, and socio-economic diversity of the school district community. Their members should reside in the district or have historical ties with the community.*
- (5) No more than one member of an innovation school board may be an employee of the school district, and that member may not be the superintendent, a member of the superintendent's cabinet, or any person who has a role in the authorization of innovation schools or zones.

* See the Guide to Implementing Innovation Schools p. 41-44.

- (6) The board of an innovation zone shall be appointed by the district school board, and shall be made up of community leaders. No more than one member may be an employee of the school district, and no more than one member may be a member of the district school board. Elected officials and district employees may not, together, constitute more than one third of the members of an innovation zone board.
- (7) The board of an innovation zone is intended to be independent of the school district. To assure that independence, its membership must be approved by the [STATE Commissioner/Superintendent of Education].

(b) Innovation School and Zone Board Roles and Responsibilities

- (1) Innovation school and zone boards shall have a fiduciary duty to their school(s).
- (2) Innovation school and zone boards shall comply with the requirements of [STATE Conduct of Public Officials and Employees Act] and shall comply with the requirements of [STATE Conduct of Public Officials and Employees Act], and [STATE Open Meetings Act] and state statutes governing disclosure and reporting.
- (3) Innovation school and zone boards shall serve without compensation, but each board member shall be reimbursed for necessary expenses incurred in travelling to and from meetings.
- (4) Innovation school and zone boards shall convene for regular meetings open to the public at least four times a year.
- (5) Innovation school and zone boards shall ensure their innovation school(s) comply with all local, state and federal regulations to which they are subjected, including but not limited to anti-discrimination and open meetings statutes.
- (6) Innovation school and zone boards shall negotiate the terms and execute a performance agreement with the district school

* See the Guide to Implementing Innovation Schools p. 42-44.

board, including revised terms at the contract renewal period, if needed.

- (7) Innovation school and zone boards shall hold the district accountable for violations of terms of the agreement, including but not limited to interference with their innovation schools' autonomies.*
- (8) Innovation school and zone boards shall have authority to extend their governance to additional innovation schools, if the school district board approves those schools and their affiliation with the innovation school board or zone board.*
- (9) Innovation school and zone boards shall have the authority to return a school to district governance, if a majority of the school district board agrees.
- (10) Innovation school boards shall:
 - (A) approve the innovation school's budget;
 - (B) approve the innovation school's compensation schedules;
 - (C) monitor its innovation school for fiscal soundness;
 - (D) monitor its innovation school's academic growth;
 - (E) approve student and staff disciplinary policies;
 - (F) select the school leader or leaders, if there is joint leadership;
 - (G) have authority to renew or reject renewal of its school leader(s) contract(s);
 - (H) negotiate the terms of the school leader(s) contract(s);
 - (I) approve or deny changes to the school(s) mission, model, curriculum, pedagogy, calendar, and organizational structure; and
 - (J) approve or deny all borrowing, capital projects, and purchases or contracts over pre-approved limits set by the innovation school board.
- (11) Innovation zone boards shall:
 - (A) negotiate a performance agreement with each of their member schools, in negotiation with those schools' leaders, or adopt a performance framework agreement that applies to all schools in the zone, in negotiation with all the school

leaders in the zone;

- (B) approve their member innovation schools' budgets;
- (C) approve their member innovation schools' compensation schedules;
- (D) monitor their member innovation schools for fiscal soundness;
- (E) monitor their member innovation schools' academic growth and other performance metrics;
- (F) approve student and staff disciplinary policies;
- (G) select their member schools' leader or leaders, if there is joint leadership;
- (H) negotiate the terms of their member schools' leader(s) contract(s);
- (I) have authority to renew or reject renewal of their member schools' leader(s) contract(s);
- (J) approve or deny changes to their member schools' missions, models, curricula, pedagogy, calendars, and organizational structures;
- (K) approve or deny all member school borrowing, capital projects, and purchases or contracts over pre-approved limits set by the innovation zone board; and
- (L) renew or non-renew their member schools' performance agreements or frameworks pursuant to Ch. 5(b) of this Act.

CHAPTER 7. INNOVATION SCHOOL: STATE ASSESSMENT

- (a) **Upon receipt of the notification under Ch. 4(f)(4), for school years starting after the date of the agreement between the district and the innovation school or zone board:**
 - (1) the department of education shall include an innovation school's performance assessment results under [STATE Assessment Act] when calculating the school district's performance assessment under rules adopted by the state board;*

* See the Guide to Implementing Innovation Schools p. 59.

* See the Guide to Implementing Innovation Schools p. 30.

- (2) innovation schools that restart a failing district school pursuant to Ch. 4(f)(2) shall be measured by the state, as part of its accountability system, on academic growth in test scores, not current test score levels, during the first three (3) school years of operation; and
- (3) a restart innovation school defined by Ch. 4(f)(2) qualifies for an exemption from [STATE Accountability Program] for the first three (3) school years following its restart.*

CHAPTER 8. INNOVATION SCHOOL AND ZONE FUNDING

- (a) Innovation schools shall be entitled to all local, state, and federal funding allotted to traditional schools.**
- (b) Innovation schools' per-pupil funding shall be at a rate of 85 percent of all federal, state, and local funding available to the district; any exceptions must be approved by the [STATE Department of Education].**
- (c) Incentive funding:**
 - (1) all innovation schools are eligible to receive increased state and/or district per-student funding as an incentive to participate in the program; and
 - (2) innovation schools created under Ch. 4(f)(2) (restarts of failing schools) will be provided state funding annually for three years in an amount no less than \$1500 per pupil the first year, \$1000 per pupil the second year, and \$500 per pupil the third year, in addition to the amount the school would otherwise be eligible to receive as an innovation school. This money will be disbursed directly to the innovation schools and shall not pass through the district.
 - (A) districts may charge the school up to 10 percent of the supplemental amount to cover administrative costs.
 - (B) if the school is part of an innovation zone, the zone may

also charge the school up to an additional 10 percent of the supplemental amount to cover administrative costs.

CHAPTER 9. USE OF PROPERTY, CONTENTS, AND EQUIPMENT; TRANSPORTATION; CONTRACTS FOR GOODS AND SERVICES: TERMS.

- (a) For as long as an innovation school board or zone board oversees an innovation school, the innovation school:**
 - (1) may inhabit, without restriction, a district school facility and its real property;
 - (2) may utilize the facility's contents, equipment, and supplies, as provided in the agreement established under Ch. 5; and
 - (3) shall maintain school district property consistent with the district's maintenance of its traditional school and district facilities.
- (b) The school district shall:**
 - (1) provide transportation for students attending neighborhood innovation schools consistent with transportation provided for neighborhood district schools; and
 - (2) provide transportation for students attending innovation schools of choice consistent with transportation provided for students attending district-operated schools of choice;
 - (3) make available, but the innovation school is not required to accept, maintenance and renovation of school buildings and grounds consistent with its maintenance and renovation of the district-operated buildings and grounds;
 - (4) make available, but the innovation school is not required to accept, central office services consistent with services to district-operated schools; and*
 - (5) price transportation, maintenance, renovation, and other central office services based on a reasonable effort to calculate its per-student or per-school costs for the service across the district.

* See the Guide to Implementing Innovation Schools p. 37.

* See the Guide to Implementing Innovation Schools p. 54-56.

** See the Guide to Implementing Innovation Schools p. 55-56.

- (c) **An innovation school shall have no obligation to accept or purchase district goods or services proffered by the school board.****
- (d) **An innovation school shall be free to contract with any entity of its choice for goods and services.**

**CHAPTER IO. COLLECTIVE BARGAINING;
EMPLOYEE BENEFITS**

- (a) **The management of an innovation school shall not be bound by any collective bargaining agreement under [STATE Collective Bargaining Act] that its school district has entered into.***
- (b) **Employees of an innovation school may organize and create a separate bargaining unit to collectively bargain with the innovation school board, but they shall be prohibited from bargaining with the district.**
- (c) **Employees of innovation schools in an innovation zone may organize and create a separate bargaining unit to collectively bargain with their innovation zone board, but they shall be prohibited from bargaining with the district.**
 - (1) If after 60 days of negotiation the union in an innovation zone cannot reach agreement with the innovation zone board on a collective bargaining agreement, the [STATE Commissioner/Superintendent of Education] will appoint a mediator, who will be paid for equally by the innovation zone and the union. If the parties cannot reach agreement within 30 days of engaging a mediator, the [STATE Commissioner/Superintendent of Education] will decide any remaining issues on which the two parties disagree.

* See the Guide to Implementing Innovation Schools p. 27, 37.

- (d) **Participation in retirement funds and health insurance:**
 - (1) Individuals employed by an innovation school or zone shall be entitled to participate in either:
 - (A) the state teachers' retirement fund established under the [STATE Teachers Retirement Act]; or
 - (B) the public employees' retirement fund established under the [STATE Public Employees Retirement Fund Act].*
- (e) **Innovation school and innovation zone employees shall not receive school district employee health insurance benefits; however:**
 - (1) school district boards shall make every effort to ensure that innovation schools have the purchasing power to provide health insurance benefits consistent with district plans.**

CHAPTER II. ENROLLMENT; ATTENDANCE AREA

- (a) **Innovation schools may be neighborhood schools, schools of choice or hybrids of the two models as negotiated by the school district board and the innovation school board or innovation zone board and formalized in the agreement. However:**
 - (1) any student who lives in the attendance area served by a neighborhood school that is operated as an innovation school under this chapter may attend the innovation school. The neighborhood innovation school may not refuse enrollment to a student who lives in the attendance area; and
 - (2) if an innovation school is a restart, as described in Ch. 4(f)(2), any student who had a seat before the restart shall have the right to continue attending the restart school.
- (b) **Innovation schools of choice may set nondiscriminatory preferences, such as sibling preferences, single-sex school**

* See the Guide to Implementing Innovation Schools p. 37, 63.

** See the Guide to Implementing Innovation Schools p. 63.

preferences, or specialty school preferences, as negotiated with the school district board or innovation zone board and formalized in the agreement.

(c) **This subsection applies if the number of student applications for an innovation school program, class, grade level, or building exceeds the capacity of the innovation school program, class, grade level, or building:**

- (1) If an innovation school receives a greater number of applications than there are spaces for students, after students with preference under subsection (b) of this chapter are accommodated, each timely applicant must be given an equal chance of admission.

CHAPTER. 12 DEVELOPMENT OF A UNIT TO SUPPORT INNOVATION SCHOOLS

(a) **A school board and/or innovation zone board may develop a program to provide support to teachers and administrators who wish to establish an innovation school. Such programs may include:**

- (1) A central office unit dedicated to supporting the success of innovation schools and leaders and monitoring their performance.*
- (2) Partnering or contracting with an independent organization to create a unit that “incubates” new innovation schools, by providing financial and other support for the school leader(s) for one or two years as they develop their plans, look for a building, define their vision and educational model, and recruit a leadership team and other staff. This school incubator should be operated independently of the school district but with regular communication between its leaders and district leaders involved in innovation school authorization.**

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David has advised governments large and small, from cities, counties, and school districts to states, federal agencies, and foreign governments. In 1993, he served as a senior advisor to Vice President Gore, to help run what the Vice President called his "reinventing government task force," the National Performance Review. He was the chief author of the NPR report, which laid out the Clinton Administration's reinvention agenda, called by *Time* "the most readable federal document in memory."



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