

IN THE SENATE

SENATE BILL NO. 1029

BY EDUCATION COMMITTEE

AN ACT

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

15 Be It Enacted by the Legislature of the State of Idaho:

16 SECTION 1. That Title 33, Idaho Code, be, and the same is hereby amended  
17 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-  
18 ter 61, Title 33, Idaho Code, and to read as follows:

19 CHAPTER 61  
20 SCHOOL TURNAROUND ACT

21 33-6101. SHORT TITLE. This chapter shall be known and may be cited as  
22 the "School Turnaround Act."

23 33-6102. DEFINITIONS. As used in this chapter:

- 24 (1) "Board" means the state board of education.  
25 (2) "Comprehensive needs assessment" means a process to determine and  
26 measure the discrepancy between the current condition and the desired con-  
27 dition of a school in need of intervention, an examination of the nature and  
28 causes of the discrepancy, and recommended prioritized actions necessary to  
29 rectify the discrepancy.  
30 (3) "Governing authority" means the board of trustees of a school dis-  
31 trict or the board of directors of a public charter school.  
32 (4) "Independent school turnaround expert" or "expert" means a person  
33 or an organization retained to develop and implement a school turnaround  
34 plan pursuant to sections 33-6104 and 33-6105, Idaho Code.  
35 (5) "Initial remedial year" means the school year in which a school is  
36 designated a school in need of intervention pursuant to section 33-6103,  
37 Idaho Code.  
38 (6) "School" means a public school or a public charter school.  
39 (7) "School in need of intervention" or "SNI" means a school designated  
40 as such pursuant to section 33-6103, Idaho Code.

1 (8) "School turnaround committee" means a committee established pur-  
2 suant to section 33-6104, Idaho Code.

3 (9) "School turnaround plan" or "plan" means a plan to improve a school  
4 in need of intervention as further described in section 33-6106, Idaho Code.

5 33-6103. DESIGNATION OF SCHOOLS IN NEED OF INTERVENTION. Beginning in  
6 2019, on or before July 15 of each year, the board shall designate schools  
7 in need of intervention from among those schools that are in the lowest-per-  
8 forming five percent (5%) of schools according to performance standards es-  
9 tablished by the board.

10 33-6104. SCHOOL TURNAROUND COMMITTEE. (1) On or before October 1 of an  
11 initial remedial year, the governing authority of a school in need of inter-  
12 vention shall decide whether the school will participate in a school turn-  
13 around plan as provided in this chapter and, if the school will participate,  
14 shall appoint a school turnaround committee composed of the following mem-  
15 bers:

16 (a) A trustee from the trustee zone where the SNI is located, if the gov-  
17 erning authority is the board of trustees of a school district; or a mem-  
18 ber of the board of directors, if the governing authority is the board of  
19 directors of a public charter school;

20 (b) The principal of the SNI;

21 (c) Three (3) parents of students enrolled at the SNI;

22 (d) Three (3) teachers who work at the SNI;

23 (e) Two (2) community members;

24 (f) The superintendent of the school district, if the SNI is part of a  
25 school district; or another member of the board of directors, if the SNI  
26 is a public charter school; and

27 (g) Two (2) students at the SNI, if the SNI is a secondary school and at  
28 the governing authority's discretion.

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

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

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

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

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

44 (c) Have experience coaching public school administrators and teachers  
45 on designing and implementing data-driven school improvement plans;

46 (d) Have experience collaborating with the various entities that gov-  
47 ern public schools;

1 (e) Have experience delivering high-quality professional development  
2 and coaching in instructional effectiveness to public school adminis-  
3 trators and teachers;

4 (f) Be willing to be compensated for professional services based on  
5 performance;

6 (g) Be willing to work with any school in need of intervention in the  
7 state, regardless of location; and

8 (h) Meet any other criteria established by the board.

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

13 (a) Up to seventy-five percent (75%) of the expert's professional fees,  
14 as established pursuant to the contract, may be paid during the expert's  
15 work under the contract.

16 (b) The remainder of the expert's professional fees will be paid when  
17 the expert successfully assists a school in need of intervention in im-  
18 proving the SNI's performance, according to criteria established by the  
19 board, within two (2) years after the initial remedial year.

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

21 (a) Differentiated amounts of funding based on student enrollment; and  
22 (b) A higher amount of funding for those schools that are lowest-per-  
23 forming according to the board.

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

25 (a) Collecting and analyzing data on the SNI's student achievement,  
26 personnel, culture, curriculum, assessments, instructional practices,  
27 governance, leadership, finances, reputation, and policies;

28 (b) Conducting a comprehensive needs assessment during the initial  
29 remedial year for the SNI, which assessment shall include recommended  
30 changes to the SNI's culture, curriculum, assessments, instructional  
31 practices, governance, finances, reputation, policies, or other areas  
32 based on data collected pursuant to paragraph (a) of this subsection;

33 (c) Developing and implementing, in partnership with the committee,  
34 a school turnaround plan that meets the criteria provided in section  
35 33-6106, Idaho Code;

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

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

41 (f) Providing high-quality professional development and coaching per-  
42 sonalized for school staff that is designed to improve the:

43 (i) Leadership capacity of the school principal;

44 (ii) Instructional capacity of the school staff; and

45 (iii) Collaborative practices of teacher and leadership teams;

46 (g) Providing job-embedded professional learning and support for all  
47 instructional staff on a weekly basis at minimum;

48 (h) Providing job-embedded professional learning for the school prin-  
49 cipal focused on proven strategies to turn around schools in need of in-

1 intervention that are aligned with Idaho standards for effective princi-  
2 pals at least monthly;

3 (i) Leveraging support from community partners to coordinate the effi-  
4 cient delivery of support to students both inside and outside the class-  
5 room;

6 (j) Collaborating as needed with school turnaround staff at the state  
7 department of education, as designated pursuant to section 33-6113(3),  
8 Idaho Code; and

9 (k) Reporting to the board on progress under the school turnaround plan  
10 according to a schedule established in the contract or at the request of  
11 the board.

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

15 33-6106. SCHOOL TURNAROUND PLAN. (1) A school turnaround plan shall  
16 include:

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

20 (b) Measurable student achievement goals and objectives;

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

23 (d) A leadership development strategy focused on proven strategies to  
24 turn around schools in need of intervention that align with the Idaho  
25 standards for effective principals;

26 (e) A detailed budget specifying how the school turnaround plan will be  
27 funded;

28 (f) A strategy to assess and monitor progress;

29 (g) A strategy to communicate and report data on progress to stakehold-  
30 ers;

31 (h) A timeline for implementation; and

32 (i) Other areas of consideration.

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

36 (3) On or before February 1 of an initial remedial year, the governing  
37 authority shall submit the school turnaround plan to the board for approval,  
38 except as provided in subsection (4) of this section.

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

42 (5) The board shall review a school turnaround plan submitted for ap-  
43 proval pursuant to this section within forty-five (45) days of submission.  
44 The board shall approve a plan that:

45 (a) Is timely;

46 (b) Is well-developed; and

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

48 (6) Subject to appropriation, the board shall provide funding to a  
49 school in need of intervention for those interventions identified in an ap-

1 proved school turnaround plan if the governing authority provides matching  
2 funds of up to fifty percent (50%) or an in-kind contribution of goods or  
3 services in an amount equal to the funding the school in need of intervention  
4 would receive from the board.

5 33-6107. SCHOOL TURNAROUND -- DUTIES OF GOVERNING AUTHORITY. In addi-  
6 tion to other duties established in this chapter, the governing authority of  
7 a school in need of intervention:

- 8 (1) Shall prioritize funding and resources to the SNI; and  
9 (2) May exercise authority over staff, schedule, policies, budget, and  
10 academic programs to implement the school turnaround plan.

11 33-6108. FAILURE TO IMPROVE. (1) A school in need of intervention that  
12 participates in a school turnaround plan but does not improve its perfor-  
13 mance, according to criteria established by the board, within two (2) years  
14 after the initial remedial year may be granted an extension by the board for  
15 up to two (2) years to continue school improvement efforts. To be granted an  
16 extension, the school must demonstrate to the board's satisfaction that im-  
17 provement is likely with an extension.

18 (2) The board may extend or change the contract of an independent school  
19 turnaround expert working with an SNI that has been granted an extension or,  
20 at the request of the governing authority and the school turnaround commit-  
21 tee, may enter a contract with another school turnaround expert.

22 (3) An SNI granted an extension is eligible for:

- 23 (a) Continued funding pursuant to section 33-6106, Idaho Code; and  
24 (b) The school recognition and reward program established by section  
25 33-6109, Idaho Code.

26 (4) An SNI that fails to improve, according to criteria established by  
27 the board, within two (2) years after being granted an extension, or an SNI  
28 that fails to improve and is not granted an extension, will be referred to  
29 the board for recommendations on further action regarding the SNI, including  
30 options to increase or reduce funds and resources allocated to the school.

31 33-6109. SCHOOL RECOGNITION AND REWARD PROGRAM. (1) The board shall  
32 establish in rule criteria for measuring improvement in schools in need of  
33 intervention.

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

36 (a) Schools in need of intervention that meet the criteria for improve-  
37 ment, including schools that have been granted an extension pursuant to  
38 section 33-6108, Idaho Code; and

39 (b) Administrators and teachers at schools in need of intervention that  
40 qualify for a reward pursuant to paragraph (a) of this subsection.

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

43 (4) When a school in need of intervention receives a reward pursuant to  
44 this section, the principal of such school shall, in consultation with the  
45 school turnaround committee and the faculty and staff at the school, deter-  
46 mine how to use the reward in the best interest of the school, which may in-  
47 clude providing bonuses to school employees.

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

3           (2) There is hereby created the school leadership development program,  
4 the intent of which is to increase the number of highly effective school  
5 leaders capable of initiating, achieving, and sustaining school improvement  
6 efforts.

7           (3) The board shall identify one (1) or more providers through a request  
8 for proposals process to develop or provide leadership development training  
9 that emphasizes proven strategies for improving schools for school leaders  
10 and aspiring school leaders who:

11           (a) Are not currently the leader of a school participating in a school  
12 turnaround plan under section 33-6104, Idaho Code; and

13           (b) Are willing to work in schools in need of intervention for at least  
14 three (3) years.

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

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

18           (b) Agrees to work for at least three (3) years in a school in need of  
19 intervention.

20           (5) Following the 2020-2021 school year, and each year thereafter, the  
21 board shall:

22           (a) Identify school leaders at schools participating in a school turn-  
23 around plan who have successfully implemented proven strategies for im-  
24 proving schools; and

25           (b) Create opportunities for such leaders to share their methods with  
26 aspiring leaders participating in the school leadership development  
27 program.

28           (6) The board shall establish provisions regarding the school leader-  
29 ship development program in rule, including application procedures for the  
30 program and criteria for selecting school leaders from the applicant pool.

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

35           33-6112. CHARTER SCHOOLS. Nothing in this chapter shall interfere  
36 with the right of an authorized chartering entity to revoke a public charter  
37 school's charter pursuant to section 33-5209C, Idaho Code, and such action  
38 may be taken in lieu of other procedures provided in this chapter if autho-  
39 rized by law or rule.

40           33-6113. RULES -- APPEALS -- DUTIES OF DEPARTMENT. (1) The board is au-  
41 thorized to promulgate rules to implement and enforce the provisions of this  
42 chapter.

43           (2) The board shall establish in rule an appeals process for when a  
44 school turnaround plan is not approved by a governing authority or by the  
45 board.

46           (3) The state department of education shall designate a person or per-  
47 sons to provide resources, assistance, data, information, or support to the

1 board, governing authorities, school turnaround committees, independent  
2 school turnaround experts, and schools in need of intervention.

3 33-6114. SEVERABILITY. The provisions of this chapter are hereby de-  
4 clared to be severable and if any provision of this chapter or the applica-  
5 tion of such provision to any person or circumstance is declared invalid for  
6 any reason, such declaration shall not affect the validity of the remaining  
7 portions of this chapter.