COLORADO DEPARTMENT OF EDUCATION

201 East Colfax Avenue • Denver, Colorado 80203-1799
303.866.6600 • www.cde.state.co.us

Robert K. Hammond
Commissioner of Education

Diana Sirko, Ph.D.
Deputy Commissioner

Keith Owen, Ph.D.
Associate Commissioner

Colorado Innovation Schools Act Annual Report

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Author:
Christine Chin, Chin Associates

Submitted by:
Robert Hammond, Colorado Commissioner of Education
and
Colorado State Board of Education

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cde Improving Academic Achievement

Introduction

The Innovation Schools Act of 2008 (§ 22-32.5-102, C.R.S. et.seq) was designed to provide a pathway for schools and districts to develop and implement innovative practices in a wide variety of areas for the purpose of improving student outcomes. The Act provides a process that allows schools to petition their local school boards for waivers from district-level policies and for school boards to petition to the Colorado State Board of Education for waivers from certain state-level laws and regulations that would otherwise apply to the innovation schools and their districts. Upon agreement of affected employees at an innovation school, collective bargaining provisions may be waived as well. Information about the application process and applications from the schools that have applied to be designated as innovation schools can be found on the Colorado Department of Education's (CDE) web site at: http://www.cde.state.co.us/cdegen/SG130.htm.

In compliance with the reporting requirements provided in §22.32.5-102, C.R.S., CDE has prepared the following report divided into seven sections:

I. Overview Of Districts With Innovation Schools
II. Overview Of Innovations Implemented And Waivers Requested
III. Overview Of Academic Performance Pre- And Post-Innovation Implementation
IV. Innovation School Case Profiles
V. Staff Perspectives On The Impact Of Innovation Status
VI. Perspectives On The District's Changing Role Due To Innovation Schools
VII. Policy Update

This status report draws on a number of sources including 14 interviews conducted with principals, teachers, district administrators, and key education reform leaders. Other sources include the CDE web site and the study "Crafting an Innovation School: Findings from Denver's first eight innovation schools" recently conducted by The Evaluation Center in the School of Education and Human Development at the University of Colorado (November 2011, http://www.aplusdenver.org/work/reports).

I. Overview of Districts with Innovation Schools

Of the 178 school districts in Colorado, three have applied and been granted Innovation District status since the Act was passed. The districts range in size from one of the largest metro districts to one of the smallest rural districts and serve a total of 8,320 students. (Table 1)

Denver County 1, also known as Denver Public Schools (DPS), is the second largest district in the state with 80,890 pupils in 2011 and was the first district to obtain innovation status, in March 2009. As of March 1, 2012, DPS has 19 schools approved serving 7,204 students or 9% of the district's pupils. They have schools operating in their 1st, 2nd, and 3rd year as innovation schools serving students from early childhood to grade 12. Nearly all their innovation schools have more than 60% free and reduced lunch eligible (FRL) students with one school as high as 97%. (Table 2)

Colorado Springs D11 received innovation status in August 2010 for Wasson High School, serving 996 students (61% FRL), or 3% of their student population. They are in their second year operating as an innovation school.

Kit Carson School District is the only rural district and is the first Innovation Zone, choosing to include their entire student population in their innovation plan. They obtained innovation status in March 2011 and are in their first year as an innovation zone. They have a significant proportion of FRL students (48% for the district) but not as high a percentage as the DPS and Colorado Springs Schools.

Table 1
Summary of Innovation Districts

Innovation Districts in 2011	# of Innovation Schools	# Students Enrolled	Total District Enrollment	District Rank by Enrollment	% of Students in Innovation Schools	Date Innovation Status Granted
Denver Public Schools	19	7,204	80,890	2	9%	March 2009
Colorado Springs D11	1	996	29,509	8	3%	August 2010
Kit Carson	2	120	120	167	100%	March 2011

Table 2
Innovation School Statistics

Innovation Schools by District	Grades Served	Date Application Approved by State	First full year of Innovation Status	# of years as Innovation School	2011 Student Enrollment	% of District Enrollment	% Free & Reduced Lunch
Denver Public Schools							
Cole Arts and Sciences Academy	ECE-8	Aug 2009	2009-10	3	632	0.8%	96%
Collegiate Prep Academy	9-12	June 2011	2011-12	1	104	0.1%	92%
Denver Center for 21st Century Learning at Wyman	6-12	June 2011	2011-12	1	190	0.2%	87%
Denver Center for International Studies at Ford	ECE-5	May 2011	2011-12	1	387	0.5%	97%
Denver Center for International Studies at Montebello	6-12	May 2011	2011-12	1	230	0.3%	88%
Denver Green School	ECE-8	April 2010	2010-11	2	339	0.4%	58%
Godsman Elementary	ECE-5	Aug 2011	2011-12	1	486	0.6%	97%
Green Valley Elementary	ECE-5	Aug 2011	2011-12	1	619	0.8%	81%
High Tech Early College	9-12	June 2011	2011-12	1	96	0.1%	84%
Manual High School	9-12	March 2009	2009-10	3	359	0.4%	92%
Martin Luther King Jr. Early College	6-12	Sept 2010	2010-11	2	1217	1.5%	87%
McGlone Elementary	ECE-5	Aug 2011	2011-12	1	561	0.7%	97%
Montclair School of Academics & Enrichment	ECE-5	March 2009	2009-10	3	487	0.6%	60%
Noel Community Arts School	6-12	May 2011	2011-12	1	187	0.2%	92%
Summit Academy	6-12	Aug 2011	2011-12	1	163	0.2%	60%
Swigert-McAuliffe International School	ECE-8	Aug 2011	2011-12	1	303	0.4%	10%
Valdez Elementary School	ECE-5	June 2010	2010-11	2	361	0.4%	75%
Vista Academy	6-12	Aug 2011	2011-12	1	200	0.2%	76%
Whittier K-8 School	ECE-8	Sept 2010	2010-11	2	283	0.3%	91%
Colorado Springs D11							
Wasson High	9-12	Aug 2010	2010-11	2	996	3.4%	61%
Kit Carson R-1							
Kit Carson Elem	K-5	March 2011	2011-12	1	64	53.3%	55%
Kit Carson Jr-Sr HS	6-12	March 2011	2011-12	1	56	46.7%	41%

Sources: CDE web site, K-12 Free and Reduced Lunch Eligibility by District and School 2011, 2011 Pupil Membership by School and Grade Level, Denver Public Schools

II. Overview of the Innovations Implemented and Waivers Requested

Of the three districts with innovation status, Denver Public Schools has the greatest number of innovation schools with 19 schools approved to date. Eight of those schools, each of which had been in operation for 1-2 years, were the subject of a recent study published last November by The Evaluation Center in the School of Education and Human Development, at the University of Colorado Denver (See report at http://www.aplusdenver.org/work/reports). The full report – "Crafting an Innovation School: Findings from Denver's first eight innovation schools"-- utilized multiple data points, including interviews with seven of the eight innovation schools that were included in the study.

Given the comprehensiveness of the DPS study and its relevance to this Annual Report on Innovation Schools, this study will integrate results from the DPS study into this Annual Report, as appropriate. In addition, the Annual Report includes results from interviews conducted with non-DPS innovation district principals and teachers (Kit Carson and Wasson only since we had similar results from the DPS study to utilize), administrators (from all 3 districts), and key education reform leaders who have been involved with innovation schools in various capacities since the Act passed.

This section will start by highlighting some of the general findings around innovation across all innovation schools followed by an in-depth description of the waivers sought and specific changes made in schools that sought the waivers and innovation status. In addition to the sources noted above, this section draws on a changes identified in each school's innovation application available on the CDE website.

What Does Innovation Look Like?

To the general population the use of the word 'innovation' would conjure expectations of significant differences from the traditional school, particularly around classroom instruction and curriculum. One finding of The Evaluation Center study was that the first eight DPS innovation schools looked very similar to other schools in terms of their structure, calendar, curricula, and instructional time. The innovation schools typically implemented changes that were incremental structure changes designed to address student and teacher needs. Employment and hiring practice changes in nearly all the DPS innovation schools included hiring at-will employees and having greater control over hiring and firing. A district administrator stated that there is value in implementing basic structural waivers in the early stages of the evolving innovation movement rather than getting far outside the box on instructional program delivery noting: "you get some of the structures under control and then you start thinking about the curriculum." The administrator went on to say, "We are seeing a couple next generation schools; we have a number of applications that have been approved recently where you see a little more outside the box educational programs."

Kit Carson's changes focused on recruiting and retention strategies.

Wasson High School made many changes to how they delivered and supported the curriculum as well as adopting math and geography curriculums different from the rest of the district. As one respondent said, "The other four high schools have a very traditional structure and Wasson has changed that structure to be more sensitive to students needs."

One education reform leader noted that the Innovation Schools Act of 2008 might more accurately be labeled the "Autonomy" Act since the statute centers around shifting key decision-making from the district to the school level. According to The Evaluation Center report the shift of control to the school level was one of four key drivers behind the request for innovation status; the other three are: budget, schedule, and workforce management. Although waivers from statutes related to instruction were requested by innovation schools, it was not one of the primary reasons for becoming an innovation school.

The definition of innovation as applied to the schools is open to interpretation. Does innovation mean a new idea that has never been tried before or does it mean making important changes to how a school operates in order to better meet the needs of students? Regardless of the definition, one of the benefits of the Innovation Act has been the increased discussion and dialogue within schools, within the districts, and among stakeholders, around the question: Do I have the flexibility to do what I really want for my students and school?

Shifting Of Control To School Level

As discussed briefly in the previous section, in the innovation districts, the concept of control over the operations of the school was an important benefit to becoming an innovation school. School leaders and staff mentioned that they wanted greater freedom from bureaucracy to make the changes they felt were needed in their schools. The Evaluation Center report noted one respondent stating: "But, I also think systemically, we were running into roadblocks where I always have to go to human resources, get their approval and when you try to do that, you got the run around at times…Everything had to be approved by somebody." The report also stated: "One principal said that she did not feel the red tape was intentional but rather that policies intended to help school leaders and their staff sometimes ended up getting in the way of expedient decision-making."

One Wasson respondent noted that the innovation plan changes could have been implemented without the Act "but, we wouldn't have had the flexibility or the resources to make that happen. We'd just hope for the best. Schools often decide to do certain things with their programs to make them different from other schools or enrich the offerings for the kids they already have…but becoming a school of innovation made it possible for them to do it with a sense of direction and also knowing that the roadblocks to them accomplishing what they had designed wouldn't be there."

The Evaluation Center found that "[T]here was both a real and perceived increase in the control that the principal, teachers, and parents had over what happened at their school. This intangible component was important, and was mentioned by a number of respondents. In the TEC report one principal put it, "The way that people feel about their ownership of the school…there's just a sense of ownership and of more empowerment of our teachers and of our parents."

State Waivers Approved

There are a number of state waivers that innovation schools seek in order to implement their plans. The State Board of Education must approve these state waivers. Additionally, innovation schools can seek waivers from local district policies and collective bargaining agreements. Table 3 identifies the waivers from state statutes that were sought by innovation schools by district. Of the 22 Innovation schools, 19 are within DPS. The table summarizes the total number of waivers by statute requested by the DPS schools, Wasson High School in Colorado Springs D11, and Kit Carson Innovation Zone.

Table 3
Waivers to State Statute Sought by Innovation Schools

Statutory Provision Waived	Type of Waiver	Total # of Schools Requesting	19 DPS Innovation Schools Subtotal	Colorado Springs D11	Kit Carson Elem and HS
Sect. 22-32-109(1)(g) (local board duties, handling of moneys)	Budget	19	19		
Sect. 22-32-109(1)(t) (local board duties, educational program and textbooks)	Instruction	15	14	1	
Sect. 22-32-109(1)(aa) (local board duties, content standards, implementation of content standards)	Instruction	16	15	1	
Sect. 22-9-106 (local board duties, performance evaluations for licensed personnel)	People	20	17	1	2
Sect. 22-32-109(1)(f) (local board duties, selection of personnel and pay)	People	20	19	1	
Sect. 22-32-109(1)(cc) (local board duties, dress code for employees)	People	16	16		
Sect. 22-32-109(1)(jj) (local board duties, principal training or development)	People	17	17		
Sect. 22-32-110(1)(h) (local board powers, employment termination of school personnel)	People	19	18	1	
Sect. 22-63-201 (teacher employment license requirements)	People	20	17	1	2
Sect. 22-63-202 (teacher employment contract requirements)	People	20	18		2
Sect. 22-63-203 (probationary teachers)	People	21	18	1	2
Sect. 22-63-203.5 (portability of non-probationary status)	People	2	0		2
Sect. 22-63-206 (transfers)	People	19	18	1	
Sect. 22-63-301 (grounds for dismissal)	People	18	18		
Sect. 22-63-302 (procedure for dismissal)	People	17	17		
Sect. 22-63-401 (salary schedule)	People	18	18		
Sect. 22-63-402 (requirements for disbursement of moneys)	People	17	17		
Sect. 22-63-403 (payment of salaries)	People	18	18		
Sect. 22-32-109(1)(n)(I) (local board duties, schedule and calendar)	Time	20	19	1	
Sect. 22-32-109(1)(n)(II)(A) (local board duties, hours of teacher-pupil instruction and contact)	Time	20	19	1	
Sect. 22-32-109(1)(n)(II)(B) (local board duties, school calendar)	Time	20	19	1	

Waivers requested can be categorized into budget, instruction, people, and time with the majority of state waivers focused on people around workforce management.

Budget

Table 3 indicates that all 19 innovation applicants from DPS believe having control of their budget is an important component of innovation status. The Evaluation Center study of eight DPS innovation schools noted that having the ability to align spending with their priorities to meet the student needs was important. Some of the budget-related changes made included: paying actual salaries rather than the district average for teachers, reallocating their funds to

pay for critical positions, paying teachers for a longer day or taking on additional activities. As a cost cutting measure some DPS schools were considering purchasing services from private vendors (e.g. food services, custodial) rather than using the DPS central services. Wasson received an additional $450,000 to implement important components in their plan including freshman academy, three upper-level Academies and certificate programs, intensive staff professional development and performance-based pay system (TAP System for Teacher and Student Advancement). When the district received a federal grant for TAP, the school redirected the original funds to a one-to-one initiative with freshmen.

Curriculum & Instruction

Few innovation schools implemented "outside the box" educational approaches as part of their innovation plans, although some incorporated instructional models such as Early College and International Baccalaureate. Or, have incorporated different grade configurations. For instance, Martin Luther King, Jr Early College was the first to focus on providing a college preparatory continuum for grades 6-12. The innovation school with the most unique instructional and curriculum model thus far is probably the Denver Green School which has a specific focus on project-based, place-based curriculum focused on "Education for Sustainability."

Nearly all schools continue to use the district curricula in core content areas although some chose a new math or reading curriculum or have sought flexibility to replace the district programs. For example, Green Valley Elementary replaced the district literacy program with Imagineit! and Imaginato and Swigert-McAuliffe International School selected Singapore Math. Wasson changed to College Prep Math and Geography Alive. Others chose to modify or supplement the district curricula. To support underperforming students, schools used a variety of methods such as double-period block of English and math, extending instructional time, creating in-school and outside-school tutoring periods, AVID, and utilizing parents and community volunteers to work with students. So, while they weren't using a very different curriculum per se, they were able to have flexibility and autonomy over how they organized their days and the manner in which they delivered their instruction.

Innovation schools also use collaboration and planning time differently than they had used it prior to receiving innovation status. For example, staffs are working at the school level to align standards-based content and strategies within and across grade levels.

A number of innovation schools offer various enrichment opportunities; although The Evaluation Center learned a couple of schools decreased electives to focus more time on core academic. Schools utilize community partnerships to provide additional academic and extracurricular enrichment activities. Wasson High School has 30-35 partnerships, including University of Colorado, Colorado Springs to fill out the math and science, art, and law and leadership offerings in their three academies. Denver Green School partners with National Renewable Energy Laboratory (NREL) and Denver Urban Farms among others. Early College schools partners with Community College of Aurora to provide the integrated curriculum so students can earn college credits

People and Workforce Management

Many applicants sought innovation status to gain more autonomy over managing their workforce, particularly in hiring and dismissal processes. Changes around hiring included when and how hiring occurred (such as hiring when the need occurred instead of being bound to the district schedule and/or union agreement) and improving the interview process to identify and ultimately hire those teachers in closest alignment with the vision of the school. There isn't a collective bargaining unit/teachers union in Kit Carson and Wasson did not receive approval for its waivers from the collective bargaining agreement.

Other major changes in many DPS innovation schools include "at-will" employment and non-probationary teachers who are newly hired to the school may be given one year contracts. And, in DPS, changes around hiring included not accepting direct placements, which principals felt enabled them to hire the best qualified people who were philosophically aligned with their school's vision.

All three districts' innovation schools also wanted the flexibility to hire non-licensed faculty who might have extensive experience in a specific content area, such as technology, art, law, and other areas.

The Kit Carson district decided to decline Title II funds so that they would have greater control of their hiring of teachers and would not necessarily have to adhere to the requirements placed on schools that receive federal funding to hire Highly Qualified teachers. Kit Carson will now offer both one-year and multi-year contracts. The multi-year contract can be a helpful recruiting and retention tool for quality teachers. One statutory area in which only Kit Carson requested waivers is portability of non-probationary status. This provided increased flexibility for rural district recruiting.

Rather than create their own teacher evaluation system, Wasson is moving to the new district teacher evaluation system that addresses the requirements of the Great Teachers and Leaders Act (also known as –SB10-191). Most DPS schools are using the district's teacher evaluation system – LEAP - but as innovation schools they gained the flexibility to adapt it or adopt another system which better meets their school's needs as long as it addresses the requirements of SB10-191. Some of the early DPS innovation schools wanted to create their own teacher evaluation system; The Evaluation Center reported that two schools created their own and others chose to use the district's LEAP system. Kit Carson is in the process of developing their system and is looking forward to comparing it with the state's educator effectiveness rubric and tools that are currently under development.

All innovation schools provided professional development (PD) and tried to align the PD to support their school vision. In various proportions, PD was determined through principals or leadership teams using observation, teacher input, and data from teacher evaluation systems. In Denver, some innovation schools chose to opt-out of the district-run PD and in turn received equivalent funds to purchase/run their own PD.

Time: Scheduling/Calendar

Aligning scheduling with learning priorities was also important. Most of the DPS innovation schools extended the day, week, or year to provide for one or more of the following changes: increasing the student's core instructional day, adding collaboration or planning time for teachers, adding opportunities for students to receive assistance within the school day or after school, and/or increasing time to pursue project-based learning. For example, Green Valley Elementary changed their schedule to start six days earlier to provide more time before CSAP testing and added 60 minutes to the school day, allowing an extra 30 minutes each for literacy and math. Denver Center for International Studies at Ford extended the school day from 6.5 hours to 8 hours and added 10 days to the school year resulting in 24% more instructional time. High Tech Early College (HTEC) added 10 days to the calendar and created a 9 hour daily schedule including after school tutoring which requires scheduling teachers differently. HTEC teachers work either the early shift or late shift. Summit Academy's plan calls for it to provide year-round instructional opportunities to meet the needs of its students.

III. Overview of Academic Performance Pre- and Post-Innovation Implementation

One of the purposes of the Innovation Act was to improve educational performance. The Act also sought to "hold public schools that receive greater autonomy under this article accountable for student academic achievement, as measured by the Colorado Student Assessment Program (CSAP), other more specifically tailored accountability measures, and the federal requirements of Adequate Yearly Progress."

This section will examine how innovation schools performed on the CSAP, the changes over time, and Median Growth Percentile and Adequate Growth Percentile performance in the Colorado Growth Model.

How Have Innovation Schools Performed in Student Achievement?

Table 4 shows pre- and post-innovation status CSAP proficiency scores at the eleven innovation schools which have been an innovation school for at least one year. Kit Carson Innovation Zone is in its first year of implementation and is not shown. Numbers shown in bold italic indicate performance as an innovation school.

In math and writing, eight innovation schools have seen some improvement in the number of students scoring proficient or advanced compared to their scores prior to implementing their innovations. However, in reading, five schools have yet to show any increase and other schools have seen their scores across all subjects decline each year since becoming an innovation school (e.g., MLK Early College, Wasson HS). The Colorado state percentage of students scoring proficient or advance is shown on the top line of the chart for comparison. In 2011, Montclair was above the state percentage in math and the innovation school closest to the state performance in writing. In Reading, Martin Luther King Jr. Early College's and Montclair's percentages were 64% versus the state's 68%.

Table 4

Percentage of Students Scoring Proficient or Advance in Each Innovation School by School Level

School	Level	Math					Reading					Writing				
		2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
CO State				54	55	56			68	68	68			55	53	55
Cole Acad	E	*	*	23	***31***	***37***	*	*	19	***24***	***26***	*	*	12	***18***	***17***
Cole Acad	M	*	*	19	***19***	***29***	*	*	28	***35***	***33***	*	*	16	***21***	***29***
Denver Green	E	*	*	*	*	***50***	*	*	*	*	***61***	*	*	*	*	***39***
Manual HS	H	*	5	6	***12***	***15***	*	30	38	***40***	***34***	*	17	19	***17***	***22***
MLK Early College	H	*	15	16	19	***23***	*	57	64	67	***64***	*	34	39	28	***32***
MLK Early College	M	24	23	28	22	***21***	35	31	28	37	***33***	25	21	24	23	***21***
Montclair	E	47	36	54	***56***	***59***	42	41	49	***54***	***64***	25	22	36	***43***	***49***
Valdez Elem	E	38	40	26	32	***38***	28	27	23	28	***36***	16	19	16	14	***25***
Whittier K-8	E	36	44	33	42	***47***	32	46	40	39	***40***	23	29	32	22	***33***
Whittier K-8	M	47	44	50	23	***36***	30	41	34	42	***48***	37	31	31	27	***46***
Wasson HS	H	18	21	20	22	***15***	58	59	57	50	***47***	38	37	36	32	***30***

Source: CDE Schoolview DataLab, Years 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011; Filters: Included in school calculations

Note: E= elementary; M = middle school; H = high school. Some cells have asterisks because data was unavailable or insufficient to calculate a summary percentage. **Numbers in bold italic indicate performance as an innovation school.**

How Much Did Students Grow from One Year to the Next Based on Student Growth Percentiles?

A student growth percentile defines how much relative growth a student has made. The Colorado Growth Model serves as a way for educators to understand how much growth a student makes relative to a student's "academic peers." The Colorado Growth Model essentially compares each student's current achievement to the achievement of students in the same grade throughout the state who had similar CSAP scores in past years, and produces a student growth percentile score. A student growth percentile of 60 indicates the student grew as well or better than 60% of her academic peers. Table 5 displays median growth percentiles for the same 11 schools as in Table 4. The median gives us a growth percentile that characterizes the school as a whole. A median growth percentile of 50 tells us that this school's "average" student grew at the state average. In math, 8 of the 11 innovation schools showed growth that was above the 50% average growth for the state. In reading there were 7 schools; and in writing 6 schools that demonstrated growth that was greater than the 50% state average.

In Math,

- Four schools improved their median growth percentile above their pre-innovation score.
- Eight schools are above the 50th percentile (five of them were already above the state median before they became innovation schools).
- One school lost ground, performing below where it had been prior to changing to an innovation school.

In Reading,

- Five schools increased their score over their pre-innovation performance.
- Seven schools started with pre-innovation scores at or above the 50th percentile, four maintained or improved their performance while three saw declines.
- Three schools had 2011 scores below 50, one is hovering near its pre-innovation performance and two of which have seen gains since becoming an innovation school.

In Writing,

- Four schools improved over their pre-innovation median growth percentile
- Six schools maintained scores over 50 but also had scores over 50 prior to innovation status.

Table 5

Median Growth Percentile in Each Innovation School by School Level

School	Level	Math					Reading					Writing				
		2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Cole Acad	E	*	*	46	***56***	***61***	*	*	46	***47***	***44***	*	*	53	***37***	***37***
Cole Acad	M	*	*	65	***60***	***69***	*	*	51	***76***	***57***	*	*	65	***69***	***65***
Denver Green	E	*	*	*	*	***47***	*	*	*	*	***43***	*	*	*	*	***39***
Manual HS	H	*	45	58	***59***	***56***	*	52	54	***53***	***57***	*	60	53	***55***	***57***
MLK Early College	H	*	57	53	62	***60***	*	57	63	64	***74***	*	57	61	54	***61***
MLK Early College	M	52	46	50	41	***45***	42	43	39	50	***44***	50	43	53	47	***42***
Montclair	E	49	38	64	***59***	***52***	52	59	61	***56***	***67***	51	43	56	***55***	***64***
Valdez Elem	E	37	42	29	33	***72***	52	51	42	63	***60***	66	44	60	57	***56***
Whittier K-8	E	71	50	41	65	***58***	50	47	26	37	***40***	59	51	46	46	***48***
Whittier K-8	M	90	91	71	73	***72***	36	73	52	70	***60***	69	71	59	53	***69***
Wasson HS	H	46	47	53	48	***33***	46	48	50	39	***43***	52	52	52	43	***40***

Source: CDE Schoolview DataLab, Years 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011; Filters: Included in school calculations

Note: E= elementary; M = middle school; H = high school. Some cells have asterisks because data was unavailable or insufficient to calculate a median growth percentile. **Numbers in bold italic indicate percentages as an innovation school.**

Was the School's Growth Level Adequate?

Just as the Median Growth Percentile tells us what the level of growth was for a group of students, Adequate Growth tells us if that was enough growth or not. More specifically, it tells us whether the growth was sufficient for those students to be, on average, on track to reach or maintain proficiency within 3 years or by 10th grade.

The Adequate Growth calculation combines Catch Up and Keep Up student data into a single number: for Catch Up students, it uses their Catch Up number, and for Keep Up students it uses their Keep Up number. A student needing to Catch Up had a previous year score in that content area that was below proficient; the growth model tells us the amount of growth that would be needed to get this student scoring at the proficient level within three years: his or her Catch Up growth percentile. Similarly, a student needing to Keep Up had a previous year score in that content area that was above the minimum required for a Proficient rating; the growth model tells us the amount of growth that would be needed to keep this student scoring at the proficient level over three years: his or her Keep Up growth percentile. Combining all the Catch Up and Keep Up numbers for every student and identifying the median gives us the amount of growth that these students, on the whole, needed to meet state goals for student achievement – the Adequate Growth Percentile.

Table 6 compares each school's Median Growth Percentile to the Adequate Growth Percentile needed and tells us whether the MGP was enough to meet or exceed the AGP. Overall, most innovation schools did not consistently show enough growth to meet state goals for student achievement.
In 2011:

- In math, two innovation schools out of 11 or 18% showed adequate growth and nine schools did not.
- In reading, three innovation schools, or 27%, achieved adequate growth, and eight schools did not.
- In writing, one innovation school attained adequate growth, or 9% of the innovation schools.

In the three years prior to innovation status, Montclair did not realize adequate growth in math and writing and in 2011 achieved adequate growth in those content areas. Montclair is the only innovation school to reach adequate growth in all three subjects. Valdez Elementary also achieved adequate growth in math in 2011 in their first year of being an innovation school.

To put this into context, in math, 182 or 37% of Colorado's elementary schools did *not* achieve adequate growth in 2011; 160 or 73% of middle schools and 132 or 92% of high schools also did not. In reading, between 83%-92% of schools are achieving adequate growth. And, in writing, between 61% - 81% of schools are showing enough growth to meet or exceed AGP.

Table 6

Was Adequate Growth Made?

School	Level	Math					Reading					Writing				
		2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011
Cole Acad	E	*	*	No	***No***	***No***	*	*	No	***No***	***No***	*	*	No	***No***	***No***
Cole Acad	M	*	*	No	***No***	***No***	*	*	No	***YES***	***No***	*	*	No	***No***	***No***
Denver Green	E	*	*	*	*	***No***	*	*	*	*	***No***	*	*	*	*	***No***
Manual HS	H	*	No	No	***No***	***No***	*	No	No	***No***	***No***	*	No	No	***No***	***No***
MLK Early College	H	*	No	No	No	***No***	*	YES	YES	YES	***YES***	*	No	No	No	***No***
MLK Early College	M	No	No	No	No	***No***	No	No	No	No	***No***	No	No	No	No	***No***
Montclair	E	No	No	No	***No***	***YES***	No	YES	YES	***YES***	***YES***	No	No	No	***No***	***YES***
Valdez Elem	E	No	No	No	No	***YES***	No	No	No	No	***No***	No	No	No	No	***No***
Whittier K-8	E	No	No	No	No	***No***	No	No	No	No	***No***	No	No	No	No	***No***
Whittier K-8	M	YES	YES	No	No	***No***	No	YES	No	YES	***No***	No	No	No	No	***No***
Wasson HS	H	No	No	No	No	***No***	YES	YES	YES	YES	***YES***	No	No	No	No	***No***

Source: CDE Schoolview DataLab, Years 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011; Filters: Included in school calculations

Note: E= elementary; M = middle school; H = high school. Some cells have asterisks because data was unavailable or insufficient to calculate a adequate growth percentile. **Numbers in bold italic indicate percentages as an Innovation school.**

The Colorado School Performance Framework takes into account achievement, growth, and growth gaps to deliver an overall performance rating. Table 7 lists each innovation school's performance rating. Innovation schools not listed did not have a 3-year SPF report for 2011.

Table 7

Colorado School Performance Framework Ratings
From SPF 3-Year Reports 2011

School	Rating
Denver Public Schools	
Cole Arts and Sciences Academy	Improvement Plan
Denver Green	Priority Improvement Plan
Godsman Elementary	Priority Improvement Plan
Green Valley Elementary	Improvement Plan
Manual High School	Improvement Plan
Martin Luther King, Jr., Early College	Improvement plan (revised)
McGlone Elementary	Improvement Plan
Montclair	Performance Plan
Summit Academy	AEC: Turnaround
Valdez Elementary	Performance plan
Whittier K-8	Performance plan
Colorado Springs D11	
Wasson	Priority Improvement Plan
Kit Carson District R-1	
Kit Carson Elementary	Performance Plan
Kit Carson MS HS	Performance Plan

Source: CDE SchoolView School Performance Framework 3-year Reports by school for 2011

IV. Innovation School Case Profiles

This section contains brief profiles of each innovation district.

Wasson High School

Wasson High School, a comprehensive high school in Colorado Springs School District 11, was approved for innovation status in August 2010 and commenced implementing their innovation plan during the 2010-11 school year.

Why seek innovation status?

A number of factors influenced the decision to become an Innovation school: declining enrollment as 45% of the potential student body opted to "permit out" (compared to 8.9% of the other high schools), low achievement performance with no improvement over the preceding four year period, a significant achievement gap between minorities and non-minorities, changing demographics from 28% minority to 44% minority, an increase in the FRL rate from 38% to 52%, failing to achieve Adequate Yearly Progress for four consecutive years, the need to restore faith in the community and school, and the desire to sustain the momentum made by the students in Galileo Middle School. Galileo transformed itself into an innovative science and math magnet school and had made AYP after six years - by creating a rigorous and highly supported environment to foster their achievement. Galileo MS acts as a feeder school to Wasson HS.

What changes have been made since receiving innovation status?

Wasson has implemented a wide range of changes; these noted here are the ones respondents considered the most impactful so far.

- The school increased student accountability by requiring no more than 10 days absence in a semester in order to receive credit and changed the definition of a passing grade to a "C".
- Additionally, they created multiple career pathways by creating three Academies: Arts Academy, Law and Leadership Academy, Science and Math Academy.
- To provide additional academic support, the school has implemented the AVID (Advancement Via Individual Determination) program school-wide to support college and career readiness.
- Another support is a Freshman Academy where incoming freshmen are divided into teams and work with a core team of teachers who will align standards-based curriculum across all classes and monitor student progress and performance. The increased communication is so beneficial they would like to move to create teacher teams at each grade level.
- Additional support comes in the Saturday Academy to help students with their work on Saturday and Wasson After-Hours tutoring help during the week.
- A daily in-school advisory/tutoring period allows students to meet with their Advisor weekly to find out what they are missing and what help they need and on the other three days, if they have a D or F in a class, they are able to meet with that instructor to get help. If they are passing they attend an enrichment offering, and on Friday all students attend an enrichment class.
- TAP System for Teacher and Student Advancement Program was implemented to increase the number of talented and effective teachers. It has helped teachers deliver content in a uniform manner and hold shared expectations of what students should know and be able to do. TAP provides coaching through weekly imbedded professional leadership community meetings, 4-5 observations per year each followed by a post conference meeting with the observer, and in class field testing/modeling of research based instructional strategies. The website is http://www.tapsystem.org.
- By increasing student and teacher accountability through the innovation plan, people have seen a difference in their work, a difference in the attitude of students and the whole atmosphere has changed.

Wasson High School (Continued)

What challenges have you experienced implementing your plan?

The school was unable to obtain the waivers from the district's collective bargaining agreement, so hiring was still subject to contract requirements and there was some tension between faculty who are aligned with the mission and vision and those who aren't.

There have been delays in moving forward with using adjunct faculty for the Academies as stated in the plan due to Federal NCLB requirements which the CDE and D11 Human Resources staff resolved.

How has the district supported the innovation plan?

The district has provided additional funding of $450,000 per year. The district received a federal grant to fund TAP in ten schools, so the school redirected the budgeted funds for TAP master teachers to a one-to-one initiative with the freshmen.

What are your key goals for your innovation school?

The Colorado Springs D11 School Board has several outcomes for student achievement for which Wasson has corresponding goals. The two goals which apply most directly to the Innovation Act measures of success are:

- Students from the major racial and ethnic groups at Wasson will meet or exceed the State's adequate yearly progress standard within three years.
- 100% of Wasson students will score Proficient or Advanced on the 2014 CSAP

Kit Carson Innovation Zone

Kit Carson school district is a rural school district, with 120 students currently enrolled in K-12. They applied for Innovation Zone status and were approved in March 2011. They are in their first year of operation as an innovation zone.

Why seek innovation status?

The school is the hub of this rural community with a population of 300. Teachers have other roles in the school and community besides their classroom duties; therefore, student and community relations skills are very important in this close-knit community. It is difficult to recruit teachers to a rural community because of its remote location and lower salaries compared to metropolitan areas and the district expects to retire about 30% of its staff in the next three years.

Kit Carson School District R-1 application to become an Innovation Zone was based on the belief that rural districts would have a difficult time meeting the provisions of SB 191 and that the likelihood of obtaining a waiver from SB 191 via other methods was low. Additionally, there was a lot of concern about tenure reform among the staff and the district's superintendent had an idea for a tenure model that would address the intent of SB 191 while meeting the unique needs of a rural school district staff. The district also requested a waiver from licensing in order to have more flexibility in hiring. After receiving innovation status, the district declined Title II funding and therefore will not be subject to "highly qualified teacher" requirements. Local control over staffing decisions was the primary driver for waiving the Title II funding.

What changes are you implementing as an innovation zone?

The district is changing its teacher qualifications, training and professional development to enable it to hire both licensed and non-licensed professionals. For non-licensed instructors the district will require a professional development plan.

The district is changing its employment terms and conditions and creating a multi-year, renewable contract system with two types of teacher status: probationary status and regular-teacher status. The new system offers one-year and multi-year renewable contracts which are not automatically renewable. Regular teacher status will be offered at 5 years. Incoming staff may be placed on a negotiated contract. Employment status will be subject to the Board's discretion and will be a function of the individual's work experience overall as well as in the school district. The first set of revised contracts will be issued in May 2012.

Finally, the district is changing its evaluation system to address the intent of SB 191. In particular, the new system will factor in growth scores. The district will compare its system to the state model on how to adequately measure effectiveness.

What challenges have you experienced implementing your plan?

This is Kit Carson's first year as an innovation zone and they will be issuing their first set of revised contracts in May 2012. The challenge is in developing the final evaluation instrument.

How has the District supported the innovation plan?

The district fully supports the innovation plan and without that support, the changes being made would not have been possible.

What are your key goals for the innovation zone?

Maximum flexibility in hiring practices and teacher retention will encourage stability in the teaching ranks, thereby having a positive impact on student achievement, including increased scores on state and local assessments.

Denver Public Schools

Denver Public Schools has 19 schools approved as innovation schools by the State Board of Education as of March 1, 2012. Nine are traditional schools transformed into innovation schools and 10 are brand new schools. The district recently approved its 25th school although not all have gone through the state approval process at the time of this status report.

Why seek innovation status?

DPS supported the Innovation Schools Act because the district saw it as an opportunity for certain principals to be very independent. The district has recognized that, with a larger school district, comes larger organizational requirements and a larger burden is placed on principals to comply with those rules. In order to effectively serve the diverse needs, a one-size fits all approach to service delivery and support will not suffice. As such, the district is changing to meet those needs.

What changes have been made since receiving innovation status? What challenges have you experienced?

Because DPS launched innovation schools three years ago, the district has evolved in response to challenges encountered. Therefore, this section will combine changes and challenges.

Over the past two years, changes by the district regarding innovation schools include the following:

- Improving the Innovation school application process with a more rigorous planning guide (http://osri.dpsk12.org/innovation_schools) to create a thoughtful and detailed high-quality plan that will increase academic achievement and address the DPS board policy outlining 17 criteria for innovation schools to meet in order to be approved.
- Developing a 3-year renewal evaluation process as required by the Innovation Act since their first innovation schools are completing their third year. The first three innovation schools are going through the process which will conclude in May 2012.
- Increasing the number of district functions/services from which a school can opt out. Working with school and central services (such as food services, transportation, professional development, etc.) to discuss how the central service department can meet the needs of a diverse customer group before a school turns to outsourcing.

As mentioned earlier, to provide insight into how district innovation schools are working, DPS, CEA, A+ Denver and DCTA commissioned a study from The Evaluation Center in the School of Education and Human Development, at the University of Colorado Denver. The study examined the first seven innovation schools and one autonomous school (Bruce Randolph) over the past 1-3 years. The overall findings regarding innovation schools were:

- Innovation schools did not tend to look drastically different than other schools.
- The four major issues driving schools to seek innovation status were: budget, schedule, workforce management, and level of control.
- Innovation led to an increase in both real and perceived control over the schools by principals, teachers, and parents.
- Having control over the workforce was a significant change in Innovation schools, from the hiring process to one-year contracts.
- Innovation schools have experienced high rates of mobility among teachers and principals. Their teachers tend to be somewhat less experienced and are less likely to have master's degrees than teachers in comparable schools.
- Innovation schools tended to have overall positive cultures. Schools which had less positive cultures had experienced problems with the principal, principal turnover, and often lacked a clear vision for the school.
- Most of the Innovation schools were working on alignment across grades and subjects. Schools saw this work as critical, but the process was not necessarily effective at all schools.
- With high principal turnover at the innovation schools, there has been some confusion about the role of the district in choosing a new principal.

Denver Public Schools (Continued)

- Principals were relatively happy with the support they have received from DPS. They found that support improved after the formation of the Office of School Reform and Innovation (OSRI).
- There was a lack of clarity around the boundaries of autonomy in Innovation schools – what flexibility they have, and what regulations they are still subject to.

The study also showed that all innovation schools and a group of similar comparison schools all showed performance improvements in math, reading, and writing over time. However, with only 1 or 2 years of post-innovation school data it is still too early to come to any conclusions about the success of innovation schools.

How does the district support innovation schools?

DPS created the Office of School Reform and Innovation (OSRI) to serve as the primary advocate and support for innovation and charter schools within DPS while also holding those schools accountable. In a January 18, 2011 OSRI update presentation to the DPS board, OSRI noted that it will achieve its mission to be a national model for transformational change in public education by focusing on the following: 1) "improving outcomes for all Denver students by recruiting and supporting a diverse portfolio of high-performing charter and innovation schools that are accountable for results," and 2) "producing transformational changes district-wide by identifying, sharing, and facilitating the implementation of innovative, best-in-class policies and practices in all schools and central office departments."

The OSRI team provides coaching and thought leadership to the schools during the innovation plan development process (to ensure that schools think through the waivers they seek and identify what they will do instead of using a DPS department or curriculum) and during the implementation of the school plans via technical support, professional development and leadership support.

What are your key goals for innovation schools?

1) Increase the number and quality of autonomous schools district-wide;
2) Increase the flexibilities available to schools; and
3) Increase capacity of schools to effectively exercise autonomies.

V. Staff Perspectives on the Impact of Innovation Status

Overall, school staff is very pleased with being able to make school-based decisions around budget, instruction, people, and scheduling. What follows are a few areas of lessons learned or concerns raised by some of the schools as noted by The Evaluation Center report on eight DPS Innovation schools and interviews with Wasson High School and Kit Carson staff.

Budget

Having control over how to prioritize funding helped create a greater sense of ownership and accountability from the staff and parent perspectives. In The Evaluation Center report "one parent said that after Innovation, school staff and the community were actually able to have conversations about how to use the budget in a way they felt would be most effective." Additionally, small schools found that having control did not equate to finding added money.

Instruction

While most schools continued to use the district curricula, teachers and principals were very happy to about having the flexibility to change or modify the curricula, to alter order or pacing, and to bring in supplemental curricula.

As innovation schools spent collaboration time on standards-based alignment vertically and horizontally, some schools questioned how well the collaboration time was spent and The Evaluation Center raised the question of possible duplication of effort or different expectations for students as each school operationalizes the standards separately.

People

Providing one year contracts to teachers new to the school was seen as a positive because if the teacher ended up not being a good fit or not effective s/he could be dismissed. The Evaluation Center noted that two respondents raised questions about how one year contracts may affect teacher rights and what checks and balances should exist to ensure that staffing decisions are fair.

Innovation status eliminated the need to accept direct placements in DPS and was considered a positive by the staff. Various reasons were given such as these teachers were not aligned with the vision and expectations of the school, students didn't benefit if the teacher didn't fit in or if it was a poor teacher, and the ability to hire the best teacher for the classroom.

Staff turnover (both teacher and principal) was both a positive and a challenge for some schools. It was positive when those who did not support the vision or were ineffective teachers left but high turnover hindered implementation of the innovation plan. Having the right teachers, the right leader, and low turnover meant that everyone was on the same page and could build and sustain the culture and innovations to influence student achievement.

Several schools voiced frustration with hiring; noting that district involvement delayed the process or led to selecting staffers who were not a good fit. Others noted difficulty with hiring when they wanted to, having to adhere to the districts timing or battling with the district over timing when they believed they had the autonomy to proceed.

The Evaluation Center study raised additional questions surrounding the hiring of principals and how much autonomy schools, parents, and community stakeholders have in selecting the principal. One school, believing it had the freedom as an innovation school to choose their principal, made a selection but the district disagreed with the school's candidate and in the end the school requested an interim principal for a year. Another school knew which candidate they wanted but was asked to provide the district with a slate of choices.

In professional development, Wasson respondents were very pleased with the TAP system (see sidebar) and felt it was contributing to a more effective workforce, providing consistency for students, and helped them engage students more effectively.

Time

Principals commented that it was challenging to contemplate bigger calendar or schedule changes such as a longer school day or year as the lives of teachers, parents, students, transportation issues, etc. had to be considered. That said, Manual High School just announced this month (March 2012) that it plans to move to a longer school year starting with the 2012-13 school year in order to better meet the needs of their students.

Level of Control

Several staffers expressed frustration that despite the innovation plan being approved, they were unable to implement some of the components in the first year because they had to get permission from district staff. One teacher expressed concern that the plan lays everything out in detail, the district approved the plan, but there seems to be a lot of red tape to getting the plan implemented.

Many school staff observed there was a lack of clarity about how autonomous they were in being able to implement their plan and how far the waivers of district regulations really extended.

One school noted that they could have done some of these things without innovation status but that innovation status allowed them to hold the students accountable for attendance at school, to change what they accept as a passing grade, and implement different curriculums.

VI. Perspectives On The District's Changing Role Due To Innovation Schools

The Innovation Act spurs autonomy in the schools but since schools belong to a larger district system, that system will need to change to accommodate the various schools' changing needs. Interviews with district personnel and education reform leaders plus The Evaluation Center report provided these insights into the benefits, challenges, and other questions to consider as a result of the Innovation Act.

Some of the benefits include:

- Autonomy is working. By creating a closer connection between the decision-makers and the students the school staff is able to make mid-course adjustments to better meet the needs of students.
- Good teachers and teachers who want to improve their practice don't mind accountability.
- After many years of poor performance, seeing a 20-30% improvement in some schools indicates something is working. There is an opportunity to find what is working in autonomous schools and move to traditional schools.
- A cultural shift. One respondent declared, "The biggest impact has been a change in the dynamics and the culture to focus on student achievement and helping kids get to a place that demonstrates that achievement, working with teachers to do a better job instructing, and creating a better climate where kids and teachers and administrators are all glad to be there."
- Each district had to change their thinking about what an innovative school is able to do. Having the Innovation Act provided the impetus for district departments to change the attitude that all schools need to look alike and follow the same model. In DPS it further fueled the need to come up with a transformed business model in order to most effectively serve its portfolio of schools that includes charter, innovation, and district managed schools.
- One respondent in Colorado Springs observed that the district has tried programs or designed different pathways for students in other schools that have had mixed results. The difference for innovation schools is that innovation status requires approval of a more detailed overall plan and demonstrated leadership for the school which fosters a greater likelihood of success.
- The innovation movement is evolving as the DPS improves its ability to encourage, coach, and support innovation and as educators expand their ability for thinking differently. For example, the four most recent innovation plans approved (West Generations Academy, West Leadership Academy, Grant Middle School, and C3) incorporated different ways of instruction such as blended learning and flipped classrooms. And, based on the comments from early innovation school principals who wanted to get "traction and success" with their early waivers, the district expects to see more out-of-the-box changes during the renewal process.

Some of the challenges include:

Balancing Act. Innovation is a balancing act between autonomy and accountability, which takes time. Districts have found that clarifying the parameters and boundaries of autonomy is an evolutionary process. Autonomy allows schools to move forward with innovations that they believe will yield success. If there is too much accountability then the district hinders a school's autonomy. With too much autonomy the school may get sidetracked and not achieve their goals. In Colorado Springs, one respondent observed "The school still seeks advice from central admin (on the math curriculum). The district and school reviewed and discussed the options together to ensure the school was making good choices. Therefore, the district is comfortable with their responsibility that good choices are being made, they're not arbitrary and from the hip kinds of decisions. So those supports are still in place." Wasson High School reports twice a year to the school board on progress to their innovation plan. Districts have a tendency to set up policies that meet the district's needs but that don't help the schools. "Sometimes we make them jump through hoops rather than meeting the needs of kids," acknowledged one respondent. "I would want the district to support innovation school needs without going through the typical decision making processes and thinking processes," stated another.

District support services. The Evaluation Center report suggested that DPS will need to address how the infrastructure (e.g. transportation, facilities, food) and other service departments (e.g. nursing, mental health, special education) can provide services in a more decentralized fashion. DPS has been evaluating that question and believes the need to move from "one-size fits all" central services is a challenge as well as an opportunity. Central service departments have to learn how to meet the schools needs, how to price and commoditize the services, and how to market them. When a

centralized department meets an innovation school's needs and modifies their service offerings that change opens up the opportunity for non-innovation schools to benefit from the new service offerings. In that situation flexibility and innovation is bleeding over to other schools (e.g. vegetarian meals can be offered / replicated in non-innovation schools). As schools want to make changes, the district is getting better at providing oversight, advice, and support without mandating a certain outcome.

Governance & Leadership. One area to balance autonomy and accountability involves governance, leadership and succession planning. An innovation school requires a leader who has a vision, wants to think outside the box, presses for autonomy, and is comfortable running an autonomous operation. The leadership decision is a partnership between the community/parents and the teachers/administrators but the Superintendent can accept or reject a recommendation. One respondent summed it up with the question: "Who owns the vision and the flexibility of an innovation school? The innovation vision and plan is crafted and voted upon by all stakeholders but when there is a change in leadership how is the vision sustained?" Innovation school employees remain employees of the district, which is different than in charter schools where the employees are employed by the charter school. Innovation school principals report to district leadership, whereas charter school principals report to an autonomous board of directors.

Developing the appropriate application process and 3-Year Renewal process. The Act doesn't provide the district many levers for rejecting an innovation plan, nor are there guidelines or criteria for the renewal process beyond allowing a local school board to revoke a plan and innovation status if the school's student academic performance does not improve at a satisfactory pace. Districts must create their own process. Therefore, creating a more strategic and outcomes oriented process up front to align the strategies and tactics to the vision, mission, and measurable goals was necessary. Over the years, DPS improved its process to create high quality plans, identify criteria for success, and demonstrate how waivers and innovations will align student achievement. DPS's current process can take up to two years of planning. The development cycle is longer but more robust, more feedback and information is available to create better plans.

Having autonomy to manage the budget and workforce at the school level meant one district administrator realized that s/he must change to begin saying "You need to find the most innovative person you can find for the money you can spend" and to refrain from telling the school to follow past rules about who could be hired.

Additional Questions for Districts to Consider

The Evaluation Center created a list of additional questions for DPS leaders to consider. They are questions other districts may find useful and are listed below.

- Has the [district] had a conversation around what it means to be 'innovative'? Are there particular expectations for what an Innovation school looks like and how it may differ or not from its previous practices, and from other [district] schools?
- What does success look like for an Innovation school? Is it only about student achievement? Are there other factors that should be considered (e.g. teacher satisfaction, parent involvement, student perceptions)?
- How is monitoring data about the Innovation schools used? What types of metrics are considered in the monitoring of Innovation schools (e.g. teacher satisfaction, parent involvement, teacher mobility, principal turnover, etc.)?
- What supports does the district provide to assist Innovation schools who are struggling with various issues – e.g. principal leadership, challenges with collaboration and planning, challenges with articulation, negative climate, etc)?
- The Innovation Schools Act requires a 3 year review of each school's Innovation status. What will be considered as part of this review? Under what circumstances would the district take action with regards to a school's Innovation status? Do issues like climate, student achievement, mobility, instruction, etc. play a role? If so, how? If not, why not?
- What mechanisms are in place for ensuring that there are appropriate 'checks and balances' with regards to staff hiring and dismissal in Innovation schools?
- What is the role of school staff, community, and district in selecting a new Principal for an Innovation school? What is the expectation for how this principal will adhere to the school's Innovation plan?

VII. Policy Update

Controversy surrounding the question of whether the Innovation Act of 2008 applies to new schools

In 2011, the Denver Classroom Teachers Association sued Denver Public Schools over the district's interpretation that the Innovation Act includes new schools. The DPS Board has approved 10 innovation schools, which the union is arguing do not meet the requirements of at least 60 percent of a school's faculty vote in support of innovation status and waivers to specified provisions of the union contract.

DCTA argues that school administrators sought innovation status without first obtaining the requisite staff vote, in some cases because the teachers had not been hired when the innovation status was approved. Additionally, the union argues that DPS made hiring at the new innovation schools contingent upon teacher applicants agreeing to the waivers and to being at-will employees. The suit requests a permanent injunction barring innovation status for the ten schools. The ten schools noted in the suit are: Noel Community Arts Program, Denver Center for International Studies at Ford Elementary, Denver Center for International Studies at Montbello, High Tech Early College, Collegiate Prep, Denver Center for 21st Learning at Wyman, McGlone Elementary, Green Valley Ranch Elementary, Vista Academy, and Swigert-McAuliffe International School.

The Attorney General, John Suthers, delivered a formal opinion on the issue on January 23, 2012, concluding a local school district board and the State Board of Education each has the authority to approve waivers for a new innovation school unless the new program is fiscally unfeasible or it is likely to result in a decrease in academic achievement. For local school district boards, the Attorney General opinion reasoned that the Innovation Act's intent is to empower, not restrict, school districts' flexibility and autonomy to meet the needs of their students. Interpreting the Act to apply only to pre-existing schools because they have existing personnel and accountability committees from which to obtain the required 60% vote supporting the innovation plan would actually restrict the flexibility and autonomy of local school districts rather than expand it. For the State Board, it was stated that "the State Board can reject District of Innovation status…but only for concerns over the plan's ability to increase academic achievement or fiscal soundness – not for failure to follow all the plan factors set forth in section 22-32.5-104(3), C.R.S." No. 12-01 AG Alpha No. ED SB AGBDO - January 23, 2012 | Colorado State Attorney General

On March 29, 2012 Denver District Court Judge Ann B. Frick denied a motion by Denver Public Schools to dismiss the lawsuit by DCTA. Frick found that there is merit in the DCTA claims regarding whether the district complied with the Innovation Acts mandated procedures. DCTA President Henry Roman stated in a press release, "Our lawsuit is merely seeking to enforce the law, and preserve the voices of our members in creating innovative educational programs." The case is now expected to move to a hearing for preliminary injunction.

Implications of the Great Teachers and Leaders bill (SB 10-191) for Innovation Schools

A number of schools have inquired how the Educator Effectiveness legislation, SB 191, applies to innovation schools. The CDE has created a guidance document for schools addressing this question. In it the CDE indicates that innovation schools may apply to waive specific statutes or rules but then they must specify the how they will comply with the intent of the waived statutes or rules and will be accountable to the state for such compliance. The guidance document also assists schools in understanding the "intent" of provisions of SB 191 that apply to evaluation systems by identifying essential components of that statute. Schools are not required to develop replacement policies that meet all of the requirements listed, but the CDE recommends the requirements as guidance for the development of the innovation application. A copy of the guidance document "How does S.B. 10-191 (The Great Teachers and Leaders Bill) apply to charter schools and innovation schools?" is available on the CDE web site: http://www.cde.state.co.us/cdegen/SB130.htm.

Challenges and potential changes to Innovation Act policy

New schools. Clarification is needed about the legality of new schools as innovation schools, given the apparent differences in opinions between the recent Attorney General's ruling and that of the local district court judge on this matter (as discussed in detail above). Given the uncertainty, along with the pending DPS/DCTA lawsuit, changes to the Innovation Act will likely need to be made to provide further clarification in statute about the process for new schools to open as Innovation schools.

Recourse/Appeal Process: Innovation schools do not have a third party to which to appeal if a District chooses not to allow innovation schools in their district at all and/or fails to approve an Innovation plan. Additionally, there is little recourse for schools that have approved innovation plans yet fail to receive from the district the flexibilities or autonomies granted in the innovation plan. For example, if the district approves the plan but does not allow the school the make the changes to budget, curriculum, hiring, and scheduling as outlined in the plan, the innovation school has no leverage to force the district to adhere to the plan. Or, if a school wants to become an innovation school but the district board will not allow innovation schools in their district, the school leaders in those districts lack a path that is available to leaders in other districts that are more supportive of innovation status. This is a key difference between innovation and charter schools. If a charter school needs assistance it can appeal to the State Board. However, the statute does not provide for that same path for Innovation schools.

Turnaround schools and the majority vote of collective bargaining unit to approve Innovation Plans. One of the requirements of an innovation plan is that the majority of the collective bargaining unit employed by the school must vote in favor of the innovation plan in order for it to be approved. As we see more schools in our state approaching their 4th or 5th years in turnaround and priority improvement on the state performance framework, we may see an increased interest among districts and school leaders to utilize innovation status as a turnaround strategy. DPS has already done this in a number of its schools. A potential challenge that that may occur is that the teachers who have been employed by the school and potentially impacted by the turnaround may have a disincentive to vote for the innovation plan, as it may involve changes to staffing and other aspects of the school. As such, it may be extremely difficult to utilize innovation status as a turnaround strategy in some places if this vote is required. The legislature may want to consider waiving the vote requirement in those situations where a school is in its 4th or 5th year of turnaround or priority improvement status.

Suggestions on the role of the State (CDE and/or State Board of Education):

Resource Center. It is recommended that the CDE become more of a resource to schools and districts that want to pursue innovation status. Suggestions include: identify best practices and share what is working and what isn't in a non-critical way, periodically convene people to discuss innovation schools; disseminate information to schools, districts, and private sector organizations, and share links to research on the web site.

Incentives and Grants. It may be helpful for the state to offer incentives to schools to increase the numbers of innovation schools. Given the state education funding situation, and budget cuts that will affect innovation schools, it would be helpful for the state to offer grant funding that would help innovation schools maintain portions of their plans.