

Appendix A: Definition of In-District Autonomous Schools

	Traditional District Public Schools (TDPS)	In-District Autonomous Schools and Zones (IDAS)	Non-District Autonomous Schools (NDAS)
Definition	<ul style="list-style-type: none"> Publicly funded Publicly governed Publicly accountable 	<ul style="list-style-type: none"> Some degree of autonomy from governance 	<ul style="list-style-type: none"> Authorized at state or district level to have self-governance
Examples	<ul style="list-style-type: none"> District schools Magnet school 	<ul style="list-style-type: none"> 'Innovation' schools 'Partnership' school Schools in a 'innovation zone' Network schools District-governed independent charter schools Community schools 	<ul style="list-style-type: none"> Most charter schools Private schools Schools in turnaround or takeover district
Governance	<ul style="list-style-type: none"> Schools operate under requirements in Federal and State Education Acts Elected school board sets local policy requirements District manages a system of schools under a cohesive governance plan 	<ul style="list-style-type: none"> Schools have some level of individual autonomy from governance Schools operate in 'partnership' with 3rd party partners to negotiate relationships between a school community and a district. Generally, this occurs through a MOU or contract between the innovation school and the district These include the specific terms and waivers to district and/or state policies, generally in exchange for accountability (test scores) 	<ul style="list-style-type: none"> Schools operate under state or local "Charter School Acts" that waive aspects of education laws Schools have appointed board of governance that may include philanthropic donors and other education policy groups
Management	<ul style="list-style-type: none"> Centralized office provides district level services to promote economies of scale, coherence and continuity between schools (horizontal and vertical alignment) 	<ul style="list-style-type: none"> Schools operate in 'partnership' with 3rd party to negotiate relationships between a school, community and a district Schools/ zones often have a board that includes community members, teachers, and parents 	<ul style="list-style-type: none"> Managed by an independent for-profit or non-profit organization Services can be contracted out to 3rd party management organization. (for example, a CMO) Often can contract or buy back services from a district

Appendix B: Comparison of Waivers

	TDPS	IDAS	NDAS
Curriculum & Instruction	<ul style="list-style-type: none"> • Must adhere to the education standards set by federal, state, and local education boards • Schools districts may design or purchase curricular materials (including professional development) in accordance with these standards • Many districts adopt textbooks and materials district wide for different subjects and grade levels 	<ul style="list-style-type: none"> • May request waivers to allow for curricular flexibility • Some schools use these to allow teachers to develop their own curriculum materials to best meet the needs of their students • Some innovation networks have an alternative curriculum or pedagogical approach that they use 	<ul style="list-style-type: none"> • Generally, have automatic waivers for curriculum • Can also have waivers to state graduation requirements • Many Charter Networks have their own curricular and/or pedagogical practices
Staffing and Compensation Agreements	<ul style="list-style-type: none"> • Collective bargaining compensation agreements • Negotiated contracts around dismissal and transfer procedures • Certified teaching staff (although may request emergency licensure) • Payroll and HR services are administered via central office 	<ul style="list-style-type: none"> • Waivers around compensation, dismissal, and transfer procedures • Waivers for teaching certification may be allowed • Generally staffing decisions are made at a local level by school leaders • School leaders have autonomy to use 'extra' staffing dollars toward other resources • School leaders can make 'trade-offs' in staffing decisions 	<ul style="list-style-type: none"> • All teachers may not have to be certified, but this differs between states • Teachers in most charters are at-will employees, working without collective bargaining agreements
Instructional Time (Calendar, Scheduling)	<ul style="list-style-type: none"> • Districts generally set the calendar, school bell times, and length of school day 	<ul style="list-style-type: none"> • Districts generally set the calendar, school bell times, and length of school day 	<ul style="list-style-type: none"> • Most states allow automatic waivers to these policies

	TDPS	IDAS	NDAS
Budgeting	<ul style="list-style-type: none"> • Districts are funded by state and local tax structures pursuant to statutory formulas that determine how much money is allocated by state agencies to local districts • Generally, centralized services and teacher compensation and benefits are allocated through a district budget • Individual schools' budgets assigned on a per pupil, per school, or program basis 	<ul style="list-style-type: none"> • Waivers to state and local funding codes allow for more budgetary decision-making to occur on a school level • Generally, dollars are assigned either on a per pupil basis, or as a grant funded program • Local districts assign school-based budgets, factoring the cost of maintaining central office services • Schools may buy back certain services from central offices, for a fee 	<ul style="list-style-type: none"> • Funded on a per pupil basis with state and local tax dollars. Some also receive substantial private and philanthropic funding, as well as start-up funding from the federal government • These funds may come directly from the state, or be funneled through a local district, which may withhold a small percentage as a fee for services • Schools can purchase services from a district
Enrollment	<ul style="list-style-type: none"> • Schools must offer a free public education to all students enrolled as residents in a district area • Students can be assigned schools based on geographic boundaries or participate in a choice system that operates through central office services • Students in surrounding areas may 'choice' into a district, depending on policy • Students do not have to apply to attend a school in their district 	<ul style="list-style-type: none"> • Some schools have admissions requirements (such as GT identification) • Some enroll via a lottery system (which may operate on set targets for equity between differing student demographics) • Some operate within a portfolio management choice system. • Some have students assigned based on geographic boundaries 	<ul style="list-style-type: none"> • May operate within a choice system of public schools • May have open enrollment via lottery • May have selective admissions requirements • May have set enrollment zones within a turnaround district or zone
Special Services	<ul style="list-style-type: none"> • District is accountable to serve all students within its boundaries including those with special educational and linguistic needs in accordance with IDEA. 	<ul style="list-style-type: none"> • May request waivers from providing certain services so long as students have access to a program within the district • District may withhold dollars to fund special programming 	<ul style="list-style-type: none"> • May have waivers from provisions of services, or to provide 'alternative' approach

Appendix C: Examples of State Innovation Acts and Districts

“Innovation Schools”, CO

The Innovation Schools Act of 2008, § 22-32.5-102, et seq. C.R.S,¹ was designed to “provide a pathway for schools and districts to develop and implement innovative practices in a wide variety of areas and contexts to improve student outcomes.” Unlike the Charter Schools Act (§ 22-30.5-101)², which automatically grants waivers to given sections of the Education Act, the Innovations act requires school’s innovation plan to request these waivers individually and have a 60% majority vote from school/network staff.

At the time of writing, 106 schools have been granted innovation status (as of July 2020), with nearly half these schools (52) located in the state’s largest urban district that serves a high proportion of students of color and students considered “at-risk” of academic failure - Denver Public Schools. The most frequently requested waivers included: adjustments to the school year and increased pupil contact hours (85%), easing restrictions on teaching licensure (75%), curriculum and programming (72%), exemptions to staff performance protocols for hiring and firing of teachers or to contracted pay agreements (70%), and exemptions to teacher transfers and non-renewal of status (67%).³

Denver Network Innovation Schools:

- Empower Network (12 schools in DPS, multiple cities with other schools),
- Beacon Network Schools, (2 middle schools)
- Luminary Learning Network, (6 schools) managed by Bridgespan.
- E. Denver Innovation Zone. (5 schools elementary – high).

“Districts of Innovation,” TX

In 2015, HB 1842 amended Ch 12 of the State Education Act to include “Districts of Innovation.” TEC §12A.004 & TAC §102.1309. ⁴ The law allows traditional independent school districts to access most of the flexibilities available to Texas’ open enrollment charter schools. These districts then apply for status as an “Independent School District”. To access these flexibilities, a school district must adopt an innovation plan, as set forth in Chapter 12A and Texas Education Agency (TEA) rules. To be eligible for designation as a district of innovation, a school district’s most recent academic performance rating must be at least acceptable. Approved exemptions include (a) Innovative Curriculum (b) Instructional Methods (c) Community Participation (d) Governance of Campuses € Parental Involvement (f) Modifications to the school day or year (g) Provisions regarding the district budget and sustainable program funding (h) Accountability and assessment measures.⁵

There are currently 906 Innovation Zones in the state of Texas, representing over half of the

districts in the state. An “approved list” of 3rd party “Zone Design Partners”⁶ includes:

- Texans CAN academies
- Empower Schools Network
- Purpose Built Schools
- Transformation Waco
- Phalen Leadership Academies
- School Empowerment Networks
- UVA–Partners for Leadership
- Collegiate Edu-Nation

“Strategic Waiver School System (SWSS)”, GA

In 2008, HB 1209 created the Strategic Waiver School System (SWSS) under § 20-2-817. This allowed for “Increased Flexibility” from state laws and regulations to school districts in exchange for increased accountability through a contract between the district and the State Board.

At the time of writing, of 160 districts in Georgia, 132 were operating under SWSS contracts and 46 had their own charter district. SWSS contracts include “partnership schools” in Atlanta – these are Charter Network schools that have agreed to allow teachers contract negotiations in a MOU with the district, but other services are operated by the CMO.⁸

Partnership schools, Atlanta:

- Kindezi schools
- Purpose Built Schools

Transformation Schools & “Innovation Network Schools”, IN

Transformation Zones⁹

Transformation zones created under HB 1673 were created groups of schools within a district that operated under a State Intervention Plan under § 20-31-9. This program expanded from Evansville and now includes Indianapolis and South Bend. The contract with the State varies by district, but these schools are generally no longer managed by the local school district, yet still keep the zoned school boundaries. The act specifies that these schools “offer intensive instructional support . . . based on Doug Lemov’s Teach Like A Champion.” Many

are operated by Phalen Leadership Academies.

Transformation zones include:

- Evansville Transformation zone (5 schools)
- Indianapolis Innovation zone (Phalen Leadership academies)

Innovation Network Schools¹⁰

Innovation Network Schools This general innovation program focuses on providing flexibility and innovation to improve student outcomes. Recently updated in 2019 to narrow the timeline for improvement, the schools were created in 2015 as a more general, grant-funded program to offer a “partnership” between local school districts and other organizations. This general innovation program focuses on providing flexibility and innovation to improve student outcomes in a set timeframe. In 2016 there were 16 Innovation Schools, many operated by a local group, The Mind Trust.

“Horace Mann Charters”, “Innovation Schools”, “Pilot” Schools, and “Empowerment Zones”, MA

Horace Mann Charters¹¹

Horace Mann Charters (1993) must include a MOU with local teacher unions for collective bargaining. These operate as an in-district charter network where students are zoned to schools operated by the LEA but in collaboration with a 3rd party organization. Of the state’s 81 charter schools, 74 are Commonwealth charter schools, and seven are Horace Mann charter schools. (Massachusetts General Laws Chapter 71 § 89).

Innovation Schools¹²

The Innovation Schools initiative, a signature component of *An Act Relative to the Achievement Gap* signed into law by Governor Patrick in January 2010, provides educators and other stakeholders across the state with the opportunity to create new in-district and autonomous schools that can implement creative and inventive strategies, increase student achievement, and reduce achievement gaps while keeping school funding within districts.

Innovation Schools can implement creative and inventive strategies, increase student achievement, and reduce achievement gaps while keeping school funding within districts. The schools operate with increased autonomy and flexibility in six key areas with the goal of establishing the school conditions that lead to improved teaching and learning.

Pilot Schools (Boston) ¹³

Pilot schools were originally developed in Boston, Massachusetts, as a collaborative effort between school districts and teacher unions to develop a Memorandum of Understanding, which included “5 conditions for autonomy” in the establishment of autonomous schools. These provided teachers in these schools with protections from exploitative practices, and some degree of decision-making authority on a school-based governing board. This program was expanded to a number of schools in collaboration with the Los Angeles teachers union, and now operates in 15 Zones of Choice and has over 50 schools in the Los Angeles area

*Springfield Empowerment Zone*¹⁴

Leveraging the state’s General Laws Chapter 69, which permits superintendents to select a non-profit entity to operate underperforming schools, the district formed an memorandum of understanding with key stakeholders, including the state department of education, the Springfield Education Association (SEA), and the SEZP board.¹⁵ The zone encompassed nearly all of the district’s schools (80% of its middle and high school students) and designated direct control of approximately 85% of all per-pupil funding to the SEZP board. These schools are all managed by the 3rd party organization, Empower Schools.

“Innovation-zones”, “Achievement School District”, TN

*Innovation Zones*¹⁶

I-zones were created to serve as an intervention strategy for schools with test scores between the lowest 5% (ASD and bottom 25% of school districts. There are currently 4 I-zones in Tennessee, including Memphis-Shelby County. The lowest 5% were taken over by the state-run charter board, ASD. The current I-zone has 25 schools in 3 districts. The i-zone operates in partnership with the Darden School of Business at the University of Virginia “School Turn-around.” Initiative. As an incentive, teachers can also receive performance bonuses.¹⁷

*Achievement School District*¹⁸

The Achievement School district was created in the Tennessee First To The Top Act to improve student achievement in the bottom 25% of the state. This school district has been contracted out to a Charter Management Organization. The Achievement School District is comprised of schools that are directly run by the district’s staff and a larger subset of schools that are operated by charter management organizations (CMOs) that have been authorized by the district.

Notes and References Appendix C

- 1 Innovation Schools Act, C.R.S. § 22-32.5-102. Retrieved March 18, 2020, from <https://www.cde.state.co.us/sites/default/files/documents/choice/download/sb130/statutesb130.pdf>
- 2 Charter Schools Act, C.R.S. § 22-30.5-101. Retrieved March 18, 2020, from https://www.cde.state.co.us/cde-chart/csact_part1
- 3 Colorado Department of Education, Districts of Innovation Approved Waivers. Retrieved April 26, 2020, from <https://www.cde.state.co.us/choice/statewaivers-innovationschools>
- 4 Innovation Districts Act, TEC § 12A.004 & TAC §102.1309. Retrieved March 30, 2020, from <https://statutes.capitol.texas.gov/Docs/ED/htm/ED.12A.htm>
- 5 Innovation Districts Act, §102-1307(d) Figure 19. Retrieved March 30, 2020, from http://ritter.tea.state.tx.us/rules/tac/chapter102/19_0102_1307-1.pdf
- 6 Partnership Guide, Texas Innovation Zones. Retrieved August 10, 2020, from <https://txpartnerships.org/wp-content/uploads/2020/09/Current-Texas-Partnerships-2020-2021.pdf>
- 7 Georgia Strategic Waiver School System (SWSS), G.R.S §20-2-81 Retrieved August 10, 2020, from <https://www.gadoe.org/External-Affairs-and-Policy/Policy/Documents/Strategic Waiver School System Laws.pdf>
- 8 Georgia Dept. of Education, SWSS District Flexibility options chosen. Retrieved August 10, 2020, from <https://www.gadoe.org/External-Affairs-and-Policy/Policy/Documents/SWSS System Flexibility.pdf>
- 9 Transformation Zones, Indiana , Indiana State Intervention Plan under § 20-31-9. Retrieved August 10, 2020, from <https://statecodesfiles.justia.com/indiana/2016/title-20/article-31/chapter-9/chapter-9.pdf>
- 10 Innovation Network Schools, Indiana, Innovation network schools § 20-25-5. Retrieved August 10, 2020 from <https://www.themindtrust.org/growing-great-schools/innovation-network-schools/>
- 11 Horace Mann Charter Schools, Massachusetts, § 71-89. Retrieved August 21, 2020, from <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/Section89>
- 12 An Act Relative to the Achievement Gap, § 71-92-a Retrieved August 21, 2020, from <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/Section92>
- 13 Pilot Schools, Boston and Los Angeles, Retrieved October 2, 2020, from <https://www.teacherpowered.org/inventory/pilot-schools>
- 14 Springfield Empowerment Zone, MA. Retrieved September 3, 2020, from <https://www.springfielddempowerment.org/>
- 15 Wulfson, J. (2017, December 8). *Progress report on Springfield Empowerment Zone Partnership*. Malden, MA: Massachusetts Board of Elementary and Secondary Education. Retrieved September 3, 2020, from <http://www.doe.mass.edu/bese/docs/FY2018/2017-12/item1.html>
- 16 Empower Schools, retrieved August 10, 2020, from <https://www.empowerschools.org/what-we-do/empowerment-zones/>
- 17 Lam, P., Henry, G., Zimmer, R., & Kho, A. (2018, June). *School turnaround after 5 years: An extended evaluation of Tennessee's Achievement School District and Local Innovation Zones*. Retrieved October 11,2020, from https://peabody.vanderbilt.edu/TERA/files/School_Turnaround_After_Five_Years_FINAL.pdf
- 18 Tennessee Achievement School District, TN. Retrieved October 11, 2020 from <http://achievementsschooldistrict.org/>