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Fact Sheet

Innovation Schools Act of 2008

The Act allows a public school or group of public schools to submit to its school district board of education an innovation plan to allow a school or group of schools to implement innovations within the school or group of schools. The innovations may include but are not limited to innovations in:

- delivery of educational services,
- personnel administration and decision-making, and
- budgeting.

The Act requires the local board to review each submitted plan and approve the school as an innovation school or the group of schools as an innovation school zone or reject the plan.

The Act also allows a local board to initiate creation of a plan in collaboration with one or more schools of the school district. The law specifies the minimum contents of a plan, including the level of support needed from the personnel employed at the affected schools.

The Act encourages schools, groups of schools, and local boards to consider innovations in specified areas and to seek public and private funding to offset the costs of developing and implementing the plans.

Following creation or approval of one or more plans, the law allows a local board to submit the plan to the commissioner of education and the state board of education and seek designation as a district of innovation.

The Act directs the commissioner and state board to review and comment on the plan, and directs the state board to make the designation unless the plan would likely result in lower academic achievement or would be fiscally unfeasible. The law requires the state board to provide a written explanation if it does not make the designation.

The Act directs the state board to grant any statutory and regulatory waivers requested in the plan for the district of innovation, however, certain statutes may not be waived by the state board.

A district of innovation must demonstrate how the affected schools will comply with the intent of the waived statutes or rules. The law further allows for modification of the waivers based on modifications made to the plan over time.

The Act requires the collective bargaining agreement for each district of innovation to allow for waiver of identified terms of the agreement for personnel at an innovation school or a school within an innovation school zone. The law allows a district of innovation to hold elections in innovation schools and in each school within an innovation school zone to approve the waivers, and requires waivers to be approved by a vote of at least 60 percent of the personnel at the affected school who are members of the collective bargaining unit.

The Act specifies that a district of innovation is not required to seek waivers of terms of the agreement. If an employee of a school that receives a waiver of a term of an agreement requests a transfer, directs the district to make every reasonable effort to transfer the employee.

The Act allows for modification of the waivers, with a vote, based on revisions to the plan for the innovation school or innovation school zone.

The Act requires the local board of a district of innovation to review the performance of each innovation school or school within an innovation school zone every 3 years following approval of the plan to determine whether the school is achieving or making adequate progress toward achieving the academic performance results specified in the plan.

The Act allows the local board to revise the plan in collaboration with the affected school and subject to the consent of specified personnel at the affected school and affected school accountability committee(s).

The Act allows a local board to revoke a plan and a school's innovation status or the designation of an innovation school zone if student academic performance at the affected school or schools does not improve at a sufficient rate.

Beginning March 2010, the law requires the commissioner and the state board annually to report to the governor and the education committees of the general assembly concerning implementation of the Act and to post the report on the department of education's web site.

The Act allows the local board of a district of innovation to delegate to an innovation school or a school in an innovation school zone certain duties and powers relating to personnel.

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Added 22-32.5-101 (entire article); amended 22-32-109(1)(f)(I); 22-32-110(1)(h).