

Second Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 08-0567.02 Julie Pelegrin

**SENATE BILL 08-130**

**SENATE SPONSORSHIP**

**Groff and Spence,** and Romer

**HOUSE SPONSORSHIP**

**Witwer and Carroll T.,**

**Senate Committees**

Education  
Appropriations

**House Committees**

Education  
Appropriations

**A BILL FOR AN ACT**

101 **CONCERNING AUTHORIZATION OF SCHOOL DISTRICT BOARDS OF**  
102 **EDUCATION TO IMPLEMENT POLICY INNOVATIONS IN PUBLIC**  
103 **SCHOOLS, AND, IN CONNECTION THEREWITH, ENACTING THE**  
104 **"INNOVATION SCHOOLS ACT OF 2008", AND MAKING AN**  
105 **APPROPRIATION.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Allows a public school or group of public schools to submit to its school district board of education ("local board") an innovation plan ("plan") to allow the school or group of schools to implement innovations

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

HOUSE  
3rd Reading Unam ended  
April 30, 2008

HOUSE  
Am ended 2nd Reading  
April 29, 2008

SENATE  
3rd Reading Unam ended  
March 17, 2008

SENATE  
Am ended 2nd Reading  
March 12, 2008

within the school or group of schools, including but not limited to innovations in delivery of educational services, personnel administration and decision-making, and budgeting. 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. Allows a local board to initiate creation of a plan in collaboration with one or more schools of the school district. Specifies the minimum contents of a plan. 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, allows a local board to submit the plan to the commissioner of education ("commissioner") and the state board of education ("state board") and seek designation as a district of innovation. 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. Requires the state board to provide a written explanation if it does not make the designation.

Specifies statutes that are automatically waived for the innovation schools and innovation school zones in a district of innovation. Directs the state board to grant any additional statutory and regulatory waivers requested in the plan for the district of innovation. Specifies statutes that the state board may not waive.

Requires the collective bargaining agreement for each district of innovation to allow for removal of an innovation school or a school within an innovation school zone from the terms of the agreement. Allows a district of innovation to hold elections in innovation schools and in each school within an innovation school zone to remove the school from the school district's collective bargaining agreement. Specifies that a district of innovation is not required to seek removal. If an employee of a school that is removed from the collective bargaining agreement requests a transfer, directs the district to make every reasonable effort to transfer the employee.

Beginning March 2010, 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.

Allows a 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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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Title 22, Colorado Revised Statutes, is amended BY

1 THE ADDITION OF A NEW ARTICLE to read:

2 **ARTICLE 32.5**

3 **Innovation Schools and Innovation School Zones**

4 **Within School Districts**

5 **22-32.5-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND  
6 MAY BE CITED AS THE "INNOVATION SCHOOLS ACT OF 2008".

7 **22-32.5-102. Legislative declaration.** (1) THE GENERAL  
8 ASSEMBLY HEREBY FINDS THAT:

9 (a) THE CONSTITUTIONAL PROVISIONS REGARDING THE PUBLIC  
10 EDUCATION SYSTEM DIRECT THE GENERAL ASSEMBLY TO ESTABLISH A  
11 THOROUGH AND UNIFORM STATEWIDE SYSTEM OF PUBLIC EDUCATION, BUT  
12 THEY ALSO RECOGNIZE THE IMPORTANCE OF PRESERVING LOCAL  
13 FLEXIBILITY BY GRANTING TO EACH SCHOOL DISTRICT BOARD OF  
14 EDUCATION THE CONTROL OF INSTRUCTION IN THE SCHOOLS OF THE  
15 SCHOOL DISTRICT;

16 (b) THE CONSTITUTION'S REQUIREMENT THAT EACH SCHOOL  
17 DISTRICT BOARD OF EDUCATION IS RESPONSIBLE FOR CONTROLLING THE  
18 INSTRUCTION IN ITS SCHOOLS IS BASED ON THE BELIEF THAT THE DELIVERY  
19 OF EDUCATIONAL SERVICES MUST BE TAILORED TO THE SPECIFIC  
20 POPULATION OF STUDENTS THEY ARE INTENDED TO SERVE AND THAT THE  
21 PARENTS OF THOSE STUDENTS SHOULD HAVE GREAT OPPORTUNITY FOR  
22 INPUT REGARDING THE EDUCATIONAL SERVICES THEIR CHILDREN RECEIVE;

23 (c) IN TAILORING THE DELIVERY OF EDUCATIONAL SERVICES, IT IS  
24 ALSO IMPORTANT THAT THE PERSONS DELIVERING THOSE SERVICES, THE  
25 PRINCIPAL OF THE PUBLIC SCHOOL AND THE FACULTY EMPLOYED AT THAT  
26 SCHOOL, HAVE THE MAXIMUM DEGREE OF FLEXIBILITY POSSIBLE TO  
27 DETERMINE THE MOST EFFECTIVE AND EFFICIENT MANNER IN WHICH TO

1 MEET THEIR STUDENTS' NEEDS;

2 (d) TO FURTHER THE GOALS OF HIGH-QUALITY PUBLIC EDUCATION  
3 THROUGHOUT THE STATE, THEREFORE, EACH SCHOOL DISTRICT BOARD OF  
4 EDUCATION SHOULD HAVE THE AUTHORITY TO GRANT PUBLIC SCHOOLS OF  
5 THE SCHOOL DISTRICT THE MAXIMUM DEGREE OF FLEXIBILITY POSSIBLE TO  
6 MEET THE NEEDS OF INDIVIDUAL STUDENTS AND THE COMMUNITIES IN  
7 WHICH THEY LIVE; AND

8 (e) WHILE THE ULTIMATE RESPONSIBILITY FOR CONTROLLING THE  
9 INSTRUCTION IN PUBLIC SCHOOLS CONTINUES TO LIE WITH THE SCHOOL  
10 DISTRICT BOARD OF EDUCATION OF EACH PUBLIC SCHOOL, EACH SCHOOL  
11 DISTRICT BOARD OF EDUCATION IS STRONGLY ENCOURAGED TO DELEGATE  
12 TO EACH PUBLIC SCHOOL A HIGH DEGREE OF AUTONOMY IN IMPLEMENTING  
13 CURRICULUM, MAKING PERSONNEL DECISIONS, ORGANIZING THE SCHOOL  
14 DAY, DETERMINING THE MOST EFFECTIVE USE OF RESOURCES, AND  
15 GENERALLY ORGANIZING THE DELIVERY OF HIGH-QUALITY EDUCATIONAL  
16 SERVICES, THEREBY EMPOWERING EACH PUBLIC SCHOOL TO TAILOR ITS  
17 SERVICES MOST EFFECTIVELY AND EFFICIENTLY TO MEET THE NEEDS OF  
18 THE POPULATION OF STUDENTS IT SERVES.

19 (2) THE GENERAL ASSEMBLY THEREFORE FINDS THAT IT IS IN THE  
20 BEST INTERESTS OF THE PEOPLE OF COLORADO TO ENACT THE  
21 "INNOVATION SCHOOLS ACT OF 2008" TO ACHIEVE THE FOLLOWING  
22 PURPOSES:

23 (a) TO GRANT TO COLORADO'S SCHOOL DISTRICTS AND PUBLIC  
24 SCHOOLS GREATER ABILITY TO MEET THE EDUCATIONAL NEEDS OF A  
25 DIVERSE AND CONSTANTLY CHANGING STUDENT POPULATION;

26 (b) TO ENCOURAGE INTENTIONALLY DIVERSE APPROACHES TO  
27 LEARNING AND EDUCATION WITHIN INDIVIDUAL SCHOOL DISTRICTS;

1 (c) TO IMPROVE EDUCATIONAL PERFORMANCE THROUGH GREATER  
2 INDIVIDUAL SCHOOL AUTONOMY AND MANAGERIAL FLEXIBILITY;

3 (d) TO ENCOURAGE SCHOOL DISTRICTS, WHERE APPROPRIATE, TO  
4 CREATE AND MANAGE A PORTFOLIO OF SCHOOLS THAT MEET A VARIETY OF  
5 EDUCATION NEEDS, INCLUDING IDENTIFYING ELEMENTARY, MIDDLE OR  
6 JUNIOR HIGH, AND HIGH SCHOOLS TO COLLECTIVELY OPERATE AS A  
7 VERTICALLY INTEGRATED INNOVATION ZONE OF SCHOOLS;

8 (e) TO ENCOURAGE INNOVATION IN EDUCATION BY PROVIDING  
9 LOCAL SCHOOL COMMUNITIES AND PRINCIPALS WITH GREATER CONTROL  
10 OVER LEVELS OF STAFFING, PERSONNEL SELECTION AND EVALUATION,  
11 SCHEDULING, AND EDUCATIONAL PROGRAMMING WITH THE GOAL OF  
12 ACHIEVING IMPROVED STUDENT ACHIEVEMENT;

13 (f) TO ENCOURAGE SCHOOL DISTRICTS AND PUBLIC SCHOOLS TO  
14 FIND NEW WAYS TO ALLOCATE RESOURCES, INCLUDING THROUGH  
15 IMPLEMENTATION OF SPECIALIZED SCHOOL BUDGETS, FOR THE BENEFIT OF  
16 THE STUDENTS THEY SERVE; AND

17 (g) TO HOLD PUBLIC SCHOOLS THAT RECEIVE GREATER AUTONOMY  
18 UNDER THIS ARTICLE ACCOUNTABLE FOR STUDENT ACADEMIC  
19 ACHIEVEMENT, AS MEASURED BY THE COLORADO STUDENT ASSESSMENT  
20 PROGRAM, OTHER MORE SPECIFICALLY TAILORED ACCOUNTABILITY  
21 MEASURES, AND THE FEDERAL REQUIREMENTS OF ADEQUATE YEARLY  
22 PROGRESS.

23 **22-32.5-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
24 CONTEXT OTHERWISE REQUIRES:

25 (1) "COMMISSIONER" MEANS THE COMMISSIONER OF EDUCATION  
26 APPOINTED BY THE STATE BOARD OF EDUCATION PURSUANT TO SECTION  
27 22-2-110.

1 (2) "DISTRICT OF INNOVATION" MEANS A SCHOOL DISTRICT THAT  
2 IS DESIGNATED AS A DISTRICT OF INNOVATION PURSUANT TO SECTION  
3 22-32.5-107.

4 (3) "INNOVATION SCHOOL" MEANS A SCHOOL IN WHICH A LOCAL  
5 SCHOOL BOARD IMPLEMENTS AN INNOVATION PLAN PURSUANT TO SECTION  
6 22-32.5-104.

7 (4) "INNOVATION SCHOOL ZONE" MEANS A GROUP OF SCHOOLS OF  
8 A SCHOOL DISTRICT THAT SHARE COMMON INTERESTS, SUCH AS  
9 GEOGRAPHICAL LOCATION OR EDUCATIONAL FOCUS, OR THAT  
10 SEQUENTIALLY SERVE CLASSES OF STUDENTS AS THEY PROGRESS THROUGH  
11 ELEMENTARY AND SECONDARY EDUCATION AND IN WHICH A LOCAL  
12 SCHOOL BOARD IMPLEMENTS A PLAN FOR CREATING AN INNOVATION  
13 SCHOOL ZONE PURSUANT TO SECTION 22-32.5-104.

14 (5) "LOCAL SCHOOL BOARD" MEANS THE BOARD OF EDUCATION OF  
15 A SCHOOL DISTRICT.

16 (6) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION  
17 CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE  
18 CONSTITUTION.

19 **22-32.5-104. Innovation plans - submission - contents.**

20 (1) (a) A PUBLIC SCHOOL OF A SCHOOL DISTRICT MAY SUBMIT TO ITS  
21 LOCAL SCHOOL BOARD AN INNOVATION PLAN AS DESCRIBED IN  
22 SUBSECTION (3) OF THIS SECTION. A GROUP OF PUBLIC SCHOOLS OF A  
23 SCHOOL DISTRICT THAT SHARE COMMON INTERESTS, SUCH AS  
24 GEOGRAPHICAL LOCATION OR EDUCATIONAL FOCUS, OR THAT  
25 SEQUENTIALLY SERVE CLASSES OF STUDENTS AS THEY PROGRESS THROUGH  
26 ELEMENTARY AND SECONDARY EDUCATION MAY JOINTLY SUBMIT TO  
27 THEIR LOCAL SCHOOL BOARD A PLAN TO CREATE AN INNOVATION SCHOOL

1 ZONE AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

2 (b) A LOCAL SCHOOL BOARD SHALL RECEIVE AND REVIEW EACH  
3 INNOVATION PLAN OR PLAN FOR CREATING AN INNOVATION SCHOOL ZONE  
4 SUBMITTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1). THE  
5 LOCAL SCHOOL BOARD SHALL EITHER APPROVE OR DISAPPROVE THE  
6 INNOVATION PLAN OR PLAN FOR CREATING AN INNOVATION SCHOOL ZONE  
7 WITHIN SIXTY DAYS AFTER RECEIVING THE PLAN.

8 (c) IF THE LOCAL SCHOOL BOARD REJECTS THE PLAN, IT SHALL  
9 PROVIDE TO THE PUBLIC SCHOOL OR GROUP OF PUBLIC SCHOOLS THAT  
10 SUBMITTED THE PLAN A WRITTEN EXPLANATION OF THE BASIS FOR ITS  
11 DECISION. A PUBLIC SCHOOL OR GROUP OF PUBLIC SCHOOLS MAY  
12 RESUBMIT AN AMENDED INNOVATION PLAN OR AMENDED PLAN FOR  
13 CREATING AN INNOVATION SCHOOL ZONE AT ANY TIME AFTER DENIAL.

14 (d) IF THE LOCAL SCHOOL BOARD APPROVES THE PLAN, IT MAY  
15 PROCEED TO SEEK DESIGNATION OF THE SCHOOL DISTRICT AS A DISTRICT  
16 OF INNOVATION PURSUANT TO SECTION 22-32.5-107.

17 (2) A LOCAL SCHOOL BOARD MAY INITIATE AND COLLABORATE  
18 WITH ONE OR MORE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT TO CREATE  
19 ONE OR MORE INNOVATION PLANS, AS DESCRIBED IN SUBSECTION (3) OF  
20 THIS SECTION, OR ONE OR MORE PLANS TO CREATE INNOVATION SCHOOL  
21 ZONES, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION. IN CREATING  
22 AN INNOVATION PLAN OR A PLAN TO CREATE AN INNOVATION SCHOOL  
23 ZONE, THE LOCAL SCHOOL BOARD SHALL ENSURE THAT EACH PUBLIC  
24 SCHOOL THAT WOULD BE AFFECTED BY THE PLAN HAS OPPORTUNITY TO  
25 PARTICIPATE IN CREATION OF THE PLAN. A LOCAL SCHOOL BOARD MAY  
26 APPROVE OR CREATE A PLAN TO CREATE AN INNOVATION SCHOOL ZONE  
27 THAT INCLUDES ALL OF THE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT. IF

1 THE LOCAL SCHOOL BOARD CREATES AN INNOVATION PLAN OR A PLAN FOR  
2 CREATING AN INNOVATION SCHOOL ZONE, THE LOCAL SCHOOL BOARD MAY  
3 SEEK DESIGNATION OF THE SCHOOL DISTRICT AS A DISTRICT OF  
4 INNOVATION PURSUANT TO SECTION 22-32.5-107.

5 (3) EACH INNOVATION PLAN, WHETHER SUBMITTED BY A PUBLIC  
6 SCHOOL OR CREATED BY A LOCAL SCHOOL BOARD THROUGH  
7 COLLABORATION BETWEEN THE LOCAL SCHOOL BOARD AND A PUBLIC  
8 SCHOOL, SHALL INCLUDE THE FOLLOWING INFORMATION:

9 (a) A STATEMENT OF THE PUBLIC SCHOOL'S MISSION AND WHY  
10 DESIGNATION AS AN INNOVATION SCHOOL WOULD ENHANCE THE SCHOOL'S  
11 ABILITY TO ACHIEVE ITS MISSION;

12 (b) A DESCRIPTION OF THE INNOVATIONS THE PUBLIC SCHOOL  
13 WOULD IMPLEMENT, WHICH MAY INCLUDE, BUT NEED NOT BE LIMITED TO,  
14 INNOVATIONS IN SCHOOL STAFFING; CURRICULUM AND ASSESSMENT;  
15 CLASS SCHEDULING; USE OF FINANCIAL AND OTHER RESOURCES; AND  
16 FACULTY RECRUITMENT, EMPLOYMENT, EVALUATION, AND  
17 COMPENSATION;

18 (c) A LISTING OF THE PROGRAMS, POLICIES, OR OPERATIONAL  
19 DOCUMENTS WITHIN THE PUBLIC SCHOOL THAT WOULD BE AFFECTED BY  
20 THE PUBLIC SCHOOL'S IDENTIFIED INNOVATIONS AND THE MANNER IN  
21 WHICH THEY WOULD BE AFFECTED. THE PROGRAMS, POLICIES, OR  
22 OPERATIONAL DOCUMENTS MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

23 (I) THE RESEARCH-BASED EDUCATIONAL PROGRAM THE PUBLIC  
24 SCHOOL WOULD IMPLEMENT;

25 (II) THE LENGTH OF SCHOOL DAY AND SCHOOL YEAR AT THE  
26 PUBLIC SCHOOL;

27 (III) THE STUDENT PROMOTION AND GRADUATION POLICIES TO BE



1 IMPLEMENTED AT THE PUBLIC SCHOOL;

2 (IV) THE PUBLIC SCHOOL'S ASSESSMENT PLAN;

3 (V) THE PROPOSED BUDGET FOR THE PUBLIC SCHOOL; AND

4 (VI) THE PROPOSED STAFFING PLAN FOR THE PUBLIC SCHOOL.

5 (d) AN IDENTIFICATION OF THE IMPROVEMENTS IN ACADEMIC

6 PERFORMANCE THAT THE PUBLIC SCHOOL EXPECTS TO ACHIEVE IN

7 IMPLEMENTING THE INNOVATIONS;

8 (e) AN ESTIMATE OF THE COST SAVINGS AND INCREASED

9 EFFICIENCIES, IF ANY, THE PUBLIC SCHOOL EXPECTS TO ACHIEVE IN

10 IMPLEMENTING ITS IDENTIFIED INNOVATIONS;

11 (f) EVIDENCE THAT A MAJORITY OF THE ADMINISTRATORS

12 EMPLOYED AT THE PUBLIC SCHOOL, A MAJORITY OF THE TEACHERS

13 EMPLOYED AT THE PUBLIC SCHOOL, AND A MAJORITY OF THE SCHOOL

14 ADVISORY COUNCIL FOR THE PUBLIC SCHOOL CONSENT TO DESIGNATION

15 AS AN INNOVATION SCHOOL;

16 (g) A STATEMENT OF THE LEVEL OF SUPPORT FOR DESIGNATION AS

17 AN INNOVATION SCHOOL DEMONSTRATED BY THE OTHER PERSONS

18 EMPLOYED AT THE PUBLIC SCHOOL, THE STUDENTS AND PARENTS OF

19 STUDENTS ENROLLED IN THE PUBLIC SCHOOL, AND THE COMMUNITY

20 SURROUNDING THE PUBLIC SCHOOL;

21 (h) A DESCRIPTION OF ANY STATUTORY SECTIONS INCLUDED IN

22 THIS TITLE OR ANY REGULATORY OR DISTRICT POLICY REQUIREMENTS

23 THAT WOULD NEED TO BE WAIVED FOR THE PUBLIC SCHOOL TO IMPLEMENT

24 ITS IDENTIFIED INNOVATIONS; ==

25 (i) A DESCRIPTION OF ANY PROVISION OF THE COLLECTIVE

26 BARGAINING AGREEMENT IN EFFECT FOR THE PERSONNEL AT THE PUBLIC

27 SCHOOL THAT WOULD NEED TO BE WAIVED FOR THE PUBLIC SCHOOL TO

1 IMPLEMENT ITS IDENTIFIED INNOVATIONS; AND

2 (j) ANY ADDITIONAL INFORMATION REQUIRED BY THE LOCAL  
3 SCHOOL BOARD OF THE SCHOOL DISTRICT IN WHICH THE INNOVATION PLAN  
4 WOULD BE IMPLEMENTED.

5 (4) EACH PLAN FOR CREATING AN INNOVATION SCHOOL ZONE,  
6 WHETHER SUBMITTED BY A GROUP OF PUBLIC SCHOOLS OR CREATED BY A  
7 LOCAL SCHOOL BOARD THROUGH COLLABORATION WITH A GROUP OF  
8 PUBLIC SCHOOLS, SHALL INCLUDE THE INFORMATION SPECIFIED IN  
9 SUBSECTION (3) OF THIS SECTION FOR EACH PUBLIC SCHOOL THAT WOULD  
10 BE INCLUDED IN THE INNOVATION SCHOOL ZONE. A PLAN FOR CREATING  
11 AN INNOVATION SCHOOL ZONE SHALL ALSO INCLUDE THE FOLLOWING  
12 ADDITIONAL INFORMATION:

13 (a) A DESCRIPTION OF HOW INNOVATIONS IN THE PUBLIC SCHOOLS  
14 IN THE SCHOOL INNOVATION ZONE WOULD BE INTEGRATED TO ACHIEVE  
15 RESULTS THAT WOULD BE LESS LIKELY TO BE ACCOMPLISHED BY EACH  
16 PUBLIC SCHOOL WORKING ALONE;

17 (b) AN ESTIMATE OF ANY ECONOMIES OF SCALE THAT WOULD BE  
18 ACHIEVED BY INNOVATIONS IMPLEMENTED JOINTLY BY THE PUBLIC  
19 SCHOOLS WITHIN THE INNOVATION SCHOOL ZONE;     

20 (c) EVIDENCE THAT A MAJORITY OF THE ADMINISTRATORS AND A  
21 MAJORITY OF THE TEACHERS EMPLOYED AT EACH PUBLIC SCHOOL THAT  
22 WOULD BE INCLUDED IN THE INNOVATION SCHOOL ZONE AND A MAJORITY  
23 OF THE SCHOOL ADVISORY COUNCIL FOR EACH PUBLIC SCHOOL THAT  
24 WOULD BE INCLUDED IN THE INNOVATION SCHOOL ZONE CONSENT TO  
25 CREATING THE INNOVATION SCHOOL ZONE; AND

26 (d) A STATEMENT OF THE LEVEL OF SUPPORT FOR CREATING AN  
27 INNOVATION SCHOOL ZONE DEMONSTRATED BY THE OTHER PERSONS

1 EMPLOYED AT EACH PUBLIC SCHOOL THAT WOULD BE INCLUDED IN THE  
2 ZONE, THE STUDENTS AND PARENTS OF STUDENTS ENROLLED IN EACH  
3 PUBLIC SCHOOL THAT WOULD BE INCLUDED IN THE ZONE, AND THE  
4 COMMUNITY IN WHICH THE LOCAL SCHOOL BOARD WOULD APPROVE THE  
5 INNOVATION SCHOOL ZONE. IN DETERMINING THE LEVEL OF SUPPORT,  
6 EACH PUBLIC SCHOOL SHALL SPECIFICALLY SOLICIT INPUT CONCERNING  
7 THE SELECTION OF PUBLIC SCHOOLS INCLUDED IN THE INNOVATION  
8 SCHOOL ZONE AND THE STRATEGIES AND PROCEDURES THAT WOULD BE  
9 USED IN IMPLEMENTING AND INTEGRATING THE INNOVATIONS WITHIN THE  
10 PUBLIC SCHOOLS IN THE ZONE.

11 **22-32.5-105. Suggested innovations.** (1) IN CONSIDERING OR  
12 CREATING AN INNOVATION PLAN OR A PLAN FOR CREATING AN  
13 INNOVATION SCHOOL ZONE, EACH LOCAL SCHOOL BOARD IS STRONGLY  
14 ENCOURAGED TO CONSIDER INNOVATIONS IN THE FOLLOWING AREAS:

- 15 (a) CURRICULUM AND ACADEMIC STANDARDS AND ASSESSMENTS;
- 16 (b) ACCOUNTABILITY MEASURES, INCLUDING BUT NOT LIMITED TO  
17 EXPANDING THE USE OF A VARIETY OF ACCOUNTABILITY MEASURES TO  
18 MORE ACCURATELY PRESENT A COMPLETE MEASURE OF STUDENT  
19 LEARNING AND ACCOMPLISHMENT. THE ACCOUNTABILITY MEASURES  
20 ADOPTED BY AN INNOVATION SCHOOL OR AN INNOVATION SCHOOL ZONE  
21 MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

- 22 (I) USE OF GRADUATION OR EXIT EXAMINATIONS;
- 23 (II) USE OF END-OF-COURSE EXAMINATIONS;
- 24 (III) USE OF STUDENT PORTFOLIO REVIEWS;
- 25 (IV) USE OF NATIONAL AND INTERNATIONAL ACCOUNTABILITY  
26 MEASURES SUCH AS THE NATIONAL ASSESSMENT OF EDUCATIONAL  
27 PROGRESS AND THE PROGRAM FOR INTERNATIONAL STUDENT ASSESSMENT;

1 (V) MEASURING THE PERCENTAGE OF STUDENTS CONTINUING INTO  
2 HIGHER EDUCATION; AND

3 (VI) MEASURING THE PERCENTAGE OF STUDENTS  
4 SIMULTANEOUSLY OBTAINING A HIGH SCHOOL DIPLOMA AND AN  
5 ASSOCIATE'S DEGREE OR A CAREER AND TECHNICAL EDUCATION  
6 CERTIFICATE.

7 (c) PROVISION OF SERVICES, INCLUDING BUT NOT LIMITED TO  
8 SPECIAL EDUCATION SERVICES; SERVICES FOR GIFTED AND TALENTED  
9 STUDENTS; SERVICES FOR STUDENTS FOR WHOM ENGLISH IS NOT THE  
10 DOMINANT LANGUAGE; EDUCATIONAL SERVICES FOR STUDENTS AT RISK OF  
11 ACADEMIC FAILURE, EXPULSION, OR DROPPING OUT; AND SUPPORT  
12 SERVICES PROVIDED BY THE DEPARTMENT OF HUMAN SERVICES OR  
13 COUNTY SOCIAL SERVICES AGENCIES;

14 (d) TEACHER RECRUITMENT, TRAINING, PREPARATION, AND  
15 PROFESSIONAL DEVELOPMENT;

16 (e) TEACHER EMPLOYMENT;

17 (f) PERFORMANCE EXPECTATIONS AND EVALUATION PROCEDURES  
18 FOR TEACHERS AND PRINCIPALS;

19 (g) COMPENSATION FOR TEACHERS, PRINCIPALS, AND OTHER  
20 SCHOOL BUILDING PERSONNEL, INCLUDING BUT NOT LIMITED TO  
21 PERFORMANCE PAY PLANS, TOTAL COMPENSATION PLANS, AND OTHER  
22 INNOVATIONS WITH REGARD TO RETIREMENT AND OTHER BENEFITS;

23 (h) SCHOOL GOVERNANCE AND THE ROLES, RESPONSIBILITIES, AND  
24 EXPECTATIONS OF PRINCIPALS IN INNOVATION SCHOOLS OR SCHOOLS  
25 WITHIN AN INNOVATION SCHOOL ZONE; AND

26 (i) PREPARATION AND COUNSELING OF STUDENTS FOR TRANSITION  
27 TO HIGHER EDUCATION OR THE WORK FORCE.

1           **22-32.5-106. Innovation planning - financial support.** EACH  
2 PUBLIC SCHOOL AND EACH LOCAL SCHOOL BOARD IS AUTHORIZED AND  
3 ENCOURAGED TO SEEK AND ACCEPT PUBLIC AND PRIVATE GIFTS, GRANTS,  
4 AND DONATIONS TO OFFSET THE COSTS OF DEVELOPING AND  
5 IMPLEMENTING INNOVATION PLANS AND PLANS FOR CREATING  
6 INNOVATION SCHOOL ZONES.

7           **22-32.5-107. District of innovation - designation.** (1) EACH  
8 LOCAL SCHOOL BOARD MAY SEEK FOR ITS SCHOOL DISTRICT DESIGNATION  
9 BY THE STATE BOARD AS A DISTRICT OF INNOVATION. A LOCAL SCHOOL  
10 BOARD MAY SEEK THE DESIGNATION ON THE BASIS OF INNOVATION PLANS  
11 OR PLANS FOR CREATING INNOVATION SCHOOL ZONES APPROVED OR  
12 COLLABORATIVELY CREATED BY THE LOCAL SCHOOL BOARD PURSUANT TO  
13 SECTION 22-32.5-104.

14           (2) A LOCAL SCHOOL BOARD THAT SEEKS DESIGNATION AS A  
15 DISTRICT OF INNOVATION SHALL SUBMIT ONE OR MORE INNOVATION PLANS  
16 OR PLANS FOR CREATING AN INNOVATION SCHOOL ZONE TO THE  
17 COMMISSIONER FOR REVIEW AND COMMENT BY THE COMMISSIONER AND  
18 THE STATE BOARD. WITHIN SIXTY DAYS AFTER RECEIVING A LOCAL  
19 SCHOOL BOARD'S PLAN, THE COMMISSIONER AND THE STATE BOARD SHALL  
20 RESPOND TO THE LOCAL SCHOOL BOARD WITH ANY SUGGESTED CHANGES  
21 OR ADDITIONS TO THE PLAN, INCLUDING BUT NOT LIMITED TO  
22 SUGGESTIONS FOR FURTHER INNOVATIONS OR FOR MEASURES TO INCREASE  
23 THE LIKELIHOOD THAT THE INNOVATIONS WILL RESULT IN GREATER  
24 ACADEMIC ACHIEVEMENT WITHIN THE INNOVATION SCHOOLS OR  
25 INNOVATION SCHOOL ZONES. BASED ON THE COMMISSIONER'S AND THE  
26 STATE BOARD'S COMMENTS, THE LOCAL SCHOOL BOARD MAY CHOOSE TO  
27 WITHDRAW AND RESUBMIT ITS INNOVATION PLAN OR PLAN FOR CREATING

1 AN INNOVATION SCHOOL ZONE.

2 (3) (a) WITHIN SIXTY DAYS AFTER RECEIVING A LOCAL SCHOOL  
3 BOARD'S INNOVATION PLAN OR PLAN FOR CREATING AN INNOVATION  
4 SCHOOL ZONE, THE STATE BOARD SHALL DESIGNATE THE LOCAL SCHOOL  
5 BOARD'S SCHOOL DISTRICT AS A DISTRICT OF INNOVATION UNLESS THE  
6 STATE BOARD CONCLUDES THAT THE SUBMITTED PLAN:

7 (I) IS LIKELY TO RESULT IN A DECREASE IN ACADEMIC  
8 ACHIEVEMENT IN THE INNOVATION SCHOOLS OR INNOVATION SCHOOL  
9 ZONES; OR

10 (II) IS NOT FISCALLY FEASIBLE.

11 (b) IF THE STATE BOARD DOES NOT DESIGNATE A SCHOOL DISTRICT  
12 AS A DISTRICT OF INNOVATION, IT SHALL PROVIDE TO THE LOCAL SCHOOL  
13 BOARD A WRITTEN EXPLANATION OF THE BASIS FOR ITS DECISION. THE  
14 LOCAL SCHOOL BOARD MAY RESUBMIT AN AMENDED INNOVATION PLAN OR  
15 PLAN FOR CREATING AN INNOVATION SCHOOL ZONE AND SEEK  
16 DESIGNATION OF ITS SCHOOL DISTRICT AS A SCHOOL DISTRICT OF  
17 INNOVATION AT ANY TIME AFTER DENIAL.

18 (4) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE  
19 DEPARTMENT OF EDUCATION RECEIVE A ONE-TIME APPROPRIATION TO  
20 OFFSET THE COSTS INCURRED BY THE DEPARTMENT AND THE STATE BOARD  
21 IN ADOPTING RULES AND OTHERWISE ESTABLISHING THE PROCEDURES FOR  
22 IMPLEMENTATION OF THIS SECTION. THE GENERAL ASSEMBLY FINDS,  
23 HOWEVER, THAT THE DEPARTMENT OF EDUCATION AND THE STATE BOARD  
24 MAY IMPLEMENT THIS SECTION IN FUTURE YEARS WITHOUT ADDITIONAL  
25 STATE FUNDING.

26 **22-32.5-108. District of innovation - waiver of statutory and**  
27 **regulatory requirements.** (1) UPON DESIGNATION OF A DISTRICT OF

1 INNOVATION, THE STATE BOARD SHALL WAIVE ANY STATUTES OR RULES  
2 SPECIFIED IN THE SCHOOL DISTRICT'S INNOVATION PLAN AS THEY PERTAIN  
3 TO THE INNOVATION SCHOOLS OR INNOVATION SCHOOL ZONES OF THE  
4 DISTRICT OF INNOVATION; EXCEPT THAT THE STATE BOARD SHALL NOT  
5 WAIVE:

- 6 (a) ANY STATUTES SPECIFIED IN SECTION 22-2-117 (1)(b);
- 7 (b) ANY PROVISION OF ARTICLE 64 OF THIS TITLE; OR
- 8 (c) ANY STATUTES THAT ARE NOT INCLUDED IN THIS TITLE,  
9 INCLUDING BUT NOT LIMITED TO ARTICLE 51 OF TITLE 24, C.R.S.

10 (2) EACH DISTRICT OF INNOVATION SHALL CONTINUE TO BE  
11 SUBJECT TO ALL STATUTES AND RULES THAT ARE NOT WAIVED BY THE  
12 STATE BOARD PURSUANT TO SUBSECTION (1) OF THIS SECTION, INCLUDING  
13 BUT NOT LIMITED TO ALL STATUTES AND RULES CONCERNING  
14 IMPLEMENTATION OF:

- 15 (a) THE COLORADO STUDENT ASSESSMENT PROGRAM CREATED IN  
16 SECTION 22-7-409;
- 17 (b) PART 6 OF ARTICLE 7 OF THIS TITLE; AND
- 18 (c) THE REQUIREMENTS OF THE FEDERAL "NO CHILD LEFT BEHIND  
19 ACT OF 2001", 20 U.S.C. SEC. 6301 ET SEQ.

20 (3) DESIGNATION AS A DISTRICT OF INNOVATION SHALL NOT  
21 AFFECT A SCHOOL DISTRICT'S:

- 22 (a) TOTAL PROGRAM FUNDING CALCULATED PURSUANT TO THE  
23 "PUBLIC SCHOOL FINANCE ACT OF 1994", ARTICLE 54 OF THIS TITLE; OR
- 24 (b) ELIGIBILITY FOR FUNDING UNDER, OR THE AMOUNT RECEIVED  
25 THROUGH, A CATEGORICAL PROGRAM, AS DEFINED IN SECTION 22-55-102  
26 (4).

27 (4) EACH DISTRICT OF INNOVATION THAT RECEIVES A WAIVER

1 PURSUANT TO THIS SECTION SHALL SPECIFY THE MANNER IN WHICH THE  
2 INNOVATION SCHOOL OR THE SCHOOLS WITHIN THE INNOVATION SCHOOL  
3 ZONE SHALL COMPLY WITH THE INTENT OF THE WAIVED STATUTES OR  
4 RULES AND SHALL BE ACCOUNTABLE TO THE STATE FOR SUCH  
5 COMPLIANCE.

6 (5) (a) IF THE LOCAL SCHOOL BOARD FOR A DISTRICT OF  
7 INNOVATION REVISES AN INNOVATION PLAN AS PROVIDED IN SECTION  
8 22-32.5-110, THE LOCAL SCHOOL BOARD MAY REQUEST, AND THE STATE  
9 BOARD SHALL GRANT, ADDITIONAL WAIVERS OR CHANGES TO EXISTING  
10 WAIVERS AS NECESSARY TO ACCOMMODATE THE REVISIONS TO THE  
11 INNOVATION PLAN. IN REQUESTING A NEW WAIVER OR A CHANGE TO AN  
12 EXISTING WAIVER, THE LOCAL SCHOOL BOARD SHALL DEMONSTRATE THE  
13 CONSENT OF A MAJORITY OF THE TEACHERS AND A MAJORITY OF THE  
14 ADMINISTRATORS EMPLOYED AT AND A MAJORITY OF THE SCHOOL  
15 ADVISORY COMMITTEE FOR EACH PUBLIC SCHOOL THAT IS AFFECTED BY  
16 THE NEW OR CHANGED WAIVER.

17 (b) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (a) OF THIS  
18 SUBSECTION (5), A WAIVER THAT IS GRANTED PURSUANT TO THIS SECTION  
19 SHALL CONTINUE TO APPLY TO A PUBLIC SCHOOL SO LONG AS THE PUBLIC  
20 SCHOOL CONTINUES TO BE DESIGNATED AS AN INNOVATION SCHOOL OR  
21 INCLUDED IN AN INNOVATION SCHOOL ZONE.

22 **22-32.5-109. District of innovation - collective bargaining**  
23 **agreements.** (1) (a) ON AND AFTER THE DATE ON WHICH THE STATE  
24 BOARD DESIGNATES A SCHOOL DISTRICT AS A DISTRICT OF INNOVATION,  
25 ANY COLLECTIVE BARGAINING AGREEMENT INITIALLY ENTERED INTO OR  
26 RENEWED BY THE LOCAL SCHOOL BOARD OF THE DISTRICT OF INNOVATION  
27 SHALL INCLUDE A TERM THAT ALLOWS EACH INNOVATION SCHOOL AND



1 EACH INNOVATION SCHOOL ZONE IN THE SCHOOL DISTRICT TO WAIVE ANY  
2 PROVISIONS OF THE COLLECTIVE BARGAINING AGREEMENT IDENTIFIED IN  
3 THE INNOVATION PLAN AS NEEDING TO BE WAIVED FOR THE INNOVATION  
4 SCHOOL OR THE INNOVATION SCHOOL ZONE TO IMPLEMENT ITS IDENTIFIED  
5 INNOVATIONS.

6 (b) FOR AN INNOVATION SCHOOL, WAIVER OF ONE OR MORE OF THE  
7 PROVISIONS OF THE COLLECTIVE BARGAINING AGREEMENT SHALL BE  
8 BASED ON OBTAINING THE APPROVAL, BY MEANS OF A SECRET BALLOT  
9 VOTE, OF AT LEAST SIXTY PERCENT OF THE MEMBERS OF THE COLLECTIVE  
10 BARGAINING UNIT WHO ARE EMPLOYED AT THE INNOVATION SCHOOL.

11 (c) FOR AN INNOVATION SCHOOL ZONE, WAIVER OF ONE OR MORE  
12 OF THE PROVISIONS OF THE COLLECTIVE BARGAINING AGREEMENT SHALL  
13 BE BASED ON OBTAINING, AT EACH SCHOOL INCLUDED IN THE INNOVATION  
14 SCHOOL ZONE, THE APPROVAL OF AT LEAST SIXTY PERCENT OF THE  
15 MEMBERS OF THE COLLECTIVE BARGAINING UNIT WHO ARE EMPLOYED AT  
16 THE SCHOOL. THE INNOVATION SCHOOL ZONE SHALL SEEK TO OBTAIN  
17 APPROVAL OF THE WAIVERS THROUGH A SECRET BALLOT VOTE OF THE  
18 MEMBERS OF THE COLLECTIVE BARGAINING UNIT AT EACH SCHOOL  
19 INCLUDED IN THE INNOVATION SCHOOL ZONE. THE LOCAL SCHOOL BOARD  
20 FOR THE INNOVATION SCHOOL ZONE MAY CHOOSE TO REVISE THE PLAN FOR  
21 CREATING AN INNOVATION SCHOOL ZONE TO REMOVE FROM THE ZONE ANY  
22 SCHOOL IN WHICH AT LEAST SIXTY PERCENT OF THE MEMBERS OF THE  
23 COLLECTIVE BARGAINING UNIT EMPLOYED AT THE SCHOOL DO NOT VOTE  
24 TO WAIVE THE IDENTIFIED PROVISIONS OF THE COLLECTIVE BARGAINING  
25 AGREEMENT.

26 (d) IF A LOCAL SCHOOL BOARD, IN COLLABORATION WITH THE  
27 INNOVATION SCHOOL OR THE PUBLIC SCHOOLS INCLUDED IN THE

1 INNOVATION SCHOOL ZONE, REVISES THE INNOVATION PLAN AS PROVIDED  
2 IN SECTION 22-32.5-110 AND THE REVISIONS INCLUDE CHANGES TO THE  
3 IDENTIFIED PROVISIONS OF THE COLLECTIVE BARGAINING AGREEMENT  
4 THAT NEED TO BE WAIVED TO IMPLEMENT THE INNOVATIONS THAT ARE  
5 INCLUDED IN THE INNOVATION PLAN, THE LOCAL SCHOOL BOARD SHALL  
6 SEEK SUCH ADDITIONAL WAIVERS OR REVISION OR REVOCATION OF THE  
7 EXISTING WAIVERS OF PROVISIONS OF THE COLLECTIVE BARGAINING  
8 AGREEMENT AS ARE NECESSARY TO IMPLEMENT THE REVISED INNOVATION  
9 PLAN. ANY CHANGES TO WAIVERS, OR ADDITIONAL WAIVERS, OF THE  
10 IDENTIFIED PROVISIONS OF THE COLLECTIVE BARGAINING AGREEMENT  
11 SHALL BE SUBJECT TO APPROVAL IN THE SAME MANNER AS PROVIDED IN  
12 PARAGRAPHS (b) AND (c) OF THIS SUBSECTION (1) FOR THE INITIAL  
13 APPROVAL OF WAIVERS OF PROVISIONS OF THE COLLECTIVE BARGAINING  
14 AGREEMENT.

15 (e) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (d) OF THIS  
16 SUBSECTION (1), WAIVER OF IDENTIFIED PROVISIONS OF A COLLECTIVE  
17 BARGAINING AGREEMENT FOR AN INNOVATION SCHOOL OR THE PUBLIC  
18 SCHOOLS WITHIN AN INNOVATION SCHOOL ZONE PURSUANT TO THIS  
19 SUBSECTION (1) SHALL CONTINUE SO LONG AS THE INNOVATION SCHOOL  
20 REMAINS AN INNOVATION SCHOOL OR A PUBLIC SCHOOL REMAINS A PART  
21 OF THE INNOVATION SCHOOL ZONE. A WAIVER APPROVED PURSUANT TO  
22 THIS SUBSECTION (1) SHALL CONTINUE TO APPLY TO ANY SUBSTANTIALLY  
23 SIMILAR PROVISION THAT IS INCLUDED IN A NEW OR RENEWED COLLECTIVE  
24 BARGAINING AGREEMENT FOR THE SCHOOLS OF THE DISTRICT OF  
25 INNOVATION.

26 (2) A DISTRICT OF INNOVATION SHALL NOT BE REQUIRED TO SEEK  
27 A WAIVER BY AN INNOVATION SCHOOL OR A PUBLIC SCHOOL IN AN

1 INNOVATION SCHOOL ZONE OF ANY PROVISION OF THE COLLECTIVE  
2 BARGAINING AGREEMENT. EACH DISTRICT OF INNOVATION SHALL INCLUDE  
3 IN ITS INNOVATION PLAN A STATEMENT AS TO WHETHER IT WILL SEEK A  
4 WAIVER BY AN INNOVATION SCHOOL OR THE PUBLIC SCHOOLS INCLUDED  
5 IN AN INNOVATION SCHOOL ZONE OF ANY OF THE PROVISIONS OF THE  
6 COLLECTIVE BARGAINING AGREEMENT. \_\_\_\_\_

7 (3) A PERSON WHO IS A MEMBER OF THE COLLECTIVE BARGAINING  
8 UNIT AND IS EMPLOYED BY AN INNOVATION SCHOOL OR BY A SCHOOL  
9 INCLUDED IN AN INNOVATION SCHOOL ZONE MAY REQUEST A TRANSFER TO  
10 ANOTHER PUBLIC SCHOOL OF THE DISTRICT OF INNOVATION. THE LOCAL  
11 SCHOOL BOARD SHALL MAKE EVERY REASONABLE EFFORT TO  
12 ACCOMMODATE THE PERSON'S REQUEST.

13 **22-32.5-110. District of innovation - review of innovation**  
14 **schools and innovation school zones. (1) THREE YEARS AFTER THE**  
15 **LOCAL SCHOOL BOARD OF A DISTRICT OF INNOVATION APPROVES AN**  
16 **INNOVATION PLAN OR A PLAN FOR CREATING AN INNOVATION SCHOOL**  
17 **ZONE, AND EVERY THREE YEARS THEREAFTER, THE LOCAL SCHOOL BOARD**  
18 **SHALL \_\_\_\_\_ REVIEW THE LEVEL OF PERFORMANCE OF THE INNOVATION**  
19 **SCHOOL AND EACH PUBLIC SCHOOL INCLUDED IN THE INNOVATION SCHOOL**  
20 **ZONE AND DETERMINE WHETHER THE INNOVATION SCHOOL OR**  
21 **INNOVATION SCHOOL ZONE IS ACHIEVING OR MAKING ADEQUATE**  
22 **PROGRESS TOWARD ACHIEVING THE ACADEMIC PERFORMANCE RESULTS**  
23 **IDENTIFIED IN THE SCHOOL'S OR ZONE'S INNOVATION PLAN. THE LOCAL**  
24 **SCHOOL BOARD, IN COLLABORATION WITH THE INNOVATION SCHOOL OR**  
25 **THE INNOVATION SCHOOL ZONE, MAY REVISE THE INNOVATION PLAN,**  
26 **INCLUDING BUT NOT LIMITED TO REVISING THE IDENTIFICATION OF THE**  
27 **PROVISIONS OF THE COLLECTIVE BARGAINING AGREEMENT THAT NEED TO**

1 BE WAIVED TO IMPLEMENT THE INNOVATIONS, AS NECESSARY TO IMPROVE  
2 OR CONTINUE TO IMPROVE ACADEMIC PERFORMANCE AT THE INNOVATION  
3 SCHOOL OR INNOVATION SCHOOL ZONE. ANY REVISIONS TO THE  
4 INNOVATION PLAN SHALL REQUIRE THE CONSENT OF A MAJORITY OF THE  
5 TEACHERS AND A MAJORITY OF THE ADMINISTRATORS EMPLOYED AT AND  
6 A MAJORITY OF THE SCHOOL ADVISORY COUNCIL FOR EACH AFFECTED  
7 PUBLIC SCHOOL.

8 (2) (a) FOLLOWING REVIEW OF AN INNOVATION SCHOOL'S  
9 PERFORMANCE, IF A LOCAL SCHOOL BOARD FINDS THAT THE ACADEMIC  
10 PERFORMANCE OF STUDENTS ENROLLED IN THE INNOVATION SCHOOL IS  
11 NOT IMPROVING AT A SUFFICIENT RATE, THE LOCAL SCHOOL BOARD MAY  
12 REVOKE THE SCHOOL'S INNOVATION STATUS.

13 (b) FOLLOWING REVIEW OF THE PERFORMANCE OF AN INNOVATION  
14 SCHOOL ZONE, IF A LOCAL SCHOOL BOARD FINDS THAT THE ACADEMIC  
15 PERFORMANCE OF STUDENTS ENROLLED IN ONE OR MORE OF THE PUBLIC  
16 SCHOOLS INCLUDED IN THE INNOVATION SCHOOL ZONE IS NOT IMPROVING  
17 AT A SUFFICIENT RATE, THE LOCAL SCHOOL BOARD MAY REMOVE THE  
18 UNDERPERFORMING PUBLIC SCHOOL OR SCHOOLS FROM THE INNOVATION  
19 SCHOOL ZONE OR MAY REVOKE THE DESIGNATION OF THE INNOVATION  
20 SCHOOL ZONE.

21 **22-32.5-111. Reporting.** (1) ON OR BEFORE MARCH 1, 2010, AND  
22 ON OR BEFORE MARCH 1 EACH YEAR THEREAFTER, THE COMMISSIONER  
23 AND THE STATE BOARD SHALL SUBMIT TO THE GOVERNOR AND TO THE  
24 EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF  
25 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, A REPORT  
26 CONCERNING THE DISTRICTS OF INNOVATION. AT A MINIMUM, THE REPORT  
27 SHALL INCLUDE:

1 (a) THE NUMBER OF SCHOOL DISTRICTS DESIGNATED AS DISTRICTS  
2 OF INNOVATION IN THE PRECEDING ACADEMIC YEAR AND THE TOTAL  
3 NUMBER OF DISTRICTS OF INNOVATION IN THE STATE;

4 (b) THE NUMBER OF INNOVATION SCHOOLS AND THE NUMBER OF  
5 INNOVATION SCHOOL ZONES, INCLUDING THE NUMBER OF SCHOOLS IN THE  
6 ZONE, IN EACH DISTRICT OF INNOVATION AND THE NUMBER OF STUDENTS  
7 SERVED IN THE INNOVATION SCHOOLS AND INNOVATION SCHOOL ZONES,  
8 EXPRESSED AS A TOTAL NUMBER AND AS A PERCENTAGE OF THE STUDENTS  
9 ENROLLED IN THE DISTRICT OF INNOVATION;

10 (c) AN OVERVIEW OF THE INNOVATIONS IMPLEMENTED IN THE  
11 INNOVATION SCHOOLS AND THE INNOVATION SCHOOL ZONES IN THE  
12 DISTRICTS OF INNOVATION;

13 (d) AN OVERVIEW OF THE ACADEMIC PERFORMANCE OF THE  
14 STUDENTS SERVED IN INNOVATION SCHOOLS AND INNOVATION SCHOOL  
15 ZONES IN EACH DISTRICT OF INNOVATION, INCLUDING A COMPARISON  
16 BETWEEN THE STUDENTS' ACADEMIC PERFORMANCE BEFORE AND SINCE  
17 IMPLEMENTATION OF THE INNOVATIONS;

18 (e) ANY RECOMMENDATIONS FOR LEGISLATIVE CHANGES BASED ON  
19 THE INNOVATIONS IMPLEMENTED OR TO FURTHER ENHANCE THE ABILITY  
20 OF LOCAL SCHOOL BOARDS TO IMPLEMENT INNOVATIONS; AND

21 (f) ANY ADDITIONAL INFORMATION REQUESTED BY THE GOVERNOR  
22 OR A MEMBER OF THE GENERAL ASSEMBLY.

23 (2) THE COMMISSIONER SHALL ENSURE THAT THE ANNUAL REPORT  
24 SUBMITTED PURSUANT TO THIS SECTION IS PROMPTLY POSTED ON THE  
25 DEPARTMENT OF EDUCATION WEB SITE.

26 **SECTION 2.** 22-32-109 (1) (f) (I), Colorado Revised Statutes, is  
27 amended to read:

1           **22-32-109. Board of education - specific duties.** (1) In addition  
2 to any other duty required to be performed by law, each board of  
3 education shall have and perform the following specific duties:

4           (f) (I) To employ all personnel required to maintain the operations  
5 and carry out the educational program of the district and to fix and order  
6 paid their compensation. Prior to the employment of any person, the  
7 board shall make an inquiry to the department of education in accordance  
8 with the provisions of section 22-32-109.7 (1). A BOARD OF A DISTRICT  
9 OF INNOVATION, AS DEFINED IN SECTION 22-32.5-103 (2), MAY DELEGATE  
10 THE DUTY SPECIFIED IN THIS PARAGRAPH (f) TO AN INNOVATION SCHOOL,  
11 AS DEFINED IN SECTION 22-32.5-103 (3), OR TO A SCHOOL IN AN  
12 INNOVATION SCHOOL ZONE, AS DEFINED IN SECTION 22-32.5-103 (4).

13           **SECTION 3.** 22-32-110 (1) (h), Colorado Revised Statutes, is  
14 amended to read:

15           **22-32-110. Board of education - specific powers.** (1) In  
16 addition to any other power granted to a board of education of a school  
17 district by law, each board of education of a school district shall have the  
18 following specific powers, to be exercised in its judgment:

19           (h) To discharge or otherwise terminate the employment of any  
20 personnel. A BOARD OF A DISTRICT OF INNOVATION, AS DEFINED IN  
21 SECTION 22-32.5-103 (2), MAY DELEGATE THE POWER SPECIFIED IN THIS  
22 PARAGRAPH (h) TO AN INNOVATION SCHOOL, AS DEFINED IN SECTION  
23 22-32.5-103 (3), OR TO A SCHOOL IN AN INNOVATION SCHOOL ZONE, AS  
24 DEFINED IN SECTION 22-32.5-103 (4).

25           **SECTION 4. Appropriation - adjustments to the 2008 long**  
26 **bill.** (1) In addition to any other appropriation, there is hereby  
27 appropriated, out of any moneys in the general fund not otherwise

1 appropriated, to the department of education, for the fiscal year beginning  
2 July 1, 2008, the sum of eighty thousand five hundred forty-five dollars  
3 (\$80,545) and 1.0 FTE, or so much thereof as may be necessary, for the  
4 implementation of this act.

5 (2) For the implementation of this act, the general fund  
6 appropriation to the controlled maintenance trust fund made in section 23  
7 of the annual general appropriation act, for the fiscal year beginning July  
8 1, 2008, shall be decreased by eighty thousand five hundred forty-five  
9 dollars (\$80,545).

10 **SECTION 5. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety.