***Innovation Schools Approval Process Guidance:***

***Conducting a Teacher Vote in the Case of a Conversion School or Academy***

The Innovation Schools initiative, a signature component of *An Act Relative to the Achievement Gap* that Governor Patrick signed in January 2010, provides educators and other stakeholders across the state with the opportunity to create new **in-district schools that can implement creative and inventive strategies, increase student achievement, and reduce achievement gaps while keeping school funding within districts**. These unique schools operate with increased autonomy and flexibility in six key areas: curriculum; budget; school schedule and calendar; staffing; professional development; and school district policies. Innovation Schools provide a unique opportunity for teachers to both design and to be a part of the approval process of reform oriented school change.

For existing district schools whose administration and faculty seek to convert to become an Innovation School, the Innovation Schools statute requires a minimum two-thirds positive vote of the teachers in the school to approve the Innovation School plan in order to continue through the Innovation School approval process. This guidance document draws on best practices from conversion Innovation Schools that have previously gone through the approval process.

*Who is eligible to vote?*

* According to Innovation School regulations any person working half-time or more in a school under a license listed in 603 CMR 7.04(3) (a), (b), or (d) is eligible to vote.
* Included among eligible voters are teachers, guidance counselors, specialists, etc. Not included are school administrators or teachers working less than half-time at the school. A complete detailed list is attached and can also be found at <http://www.doe.mass.edu/lawsregs/603cmr7.html?section=04> .
* Teachers on approved leave (e.g. family, medical, or military leave) are eligible to vote.
* Teachers who know they will not be working at the school the following year when the plan will be implemented, such as those retiring or transferring to another school, may not vote.

*How should the vote be conducted?*

* Innovation School regulations were updated in February 2013 and now require that the process for conducting the teacher vote be included as a part of the Innovation School plan that is submitted to the local school committee.
* The Innovation School plan must include
  + a list of the teachers in the school to whom the plan will be submitted for a vote;
  + description of the process and schedule for seeking approval of the Innovation Plan by the teachers who must approve the plan;
  + description of the process for conducting the vote, including absentee voting for teachers who are ill at the time of the vote; and
  + a time frame that ensures that the process allows the teachers sufficient time to review and consider the plan before the vote.
* According to statute, the vote must be taken by secret ballot.
* Electronic voting is allowable.
* A minimum of two-thirds of votes cast in favor of the plan are required for approval.

*Other resources and sample ballots*

* Attached please find excerpts from the Innovation Schools statute and regulations for your reference.
* Sample ballots are also attached.
* Guidance documents about the Innovation School model and approval process, approved initial prospectuses and innovation plans, and information about the planning and implementation grants are available at [www.mass.gov/edu/innovationschools](http://www.mass.gov/edu/innovationschools).

***Sample Timeline for Teacher Voting (timeframes are suggested, not mandated by law or regulations)***

This suggested timeline is intended to serve as an example of a time frame for the teacher vote that allows ample time for staff to review and become familiar with the plan before casting a vote.

* **Innovation Plan Committee completes** the Innovation School plan. (*Statute requires that the applicant shall submit the Innovation Plan to teachers in the school for approval by secret ballot within 30 days of the Innovation Plan Committee approving the plan by majority vote.)*
* Within a week of completion of the Innovation School plan, **the** **plan and information on who is eligible to vote on the plan should be distributed** to all staff in the school.
* It is advisable to allow eligible teacher voters a **minimum of one week to review** the plan and ask questions regarding the plan.
* Pursuant to regulation, the applicant, school district and building teacher representative should coordinate the **logistics of the secret ballot vote** that includes:
  + Verifying list of teachers eligible to vote
  + Designating the location of vote as well as the date and time.
  + Designating two individuals to count the vote (Please note, in order for the plan to be approved it must receive an affirmative vote from a minimum of 2/3rd of the eligible teachers who cast a vote.)
  + Determining the best way for teachers who are on approved leave to cast a vote.

**RELATED ITEMS**

**Innovation School Regulations excerpts, 930CMR 48.00:**

48.02

*Teacher.* For the purposes of a vote to approve conversion to an innovation school or academy, any person working half-time or more in a school or school district under a license listed in 603 CMR 7.04(3)(a), (b), or (d).

48.04

(4) Innovation plan approval process for conversion schools and academies.

1. In the case of converting an established program into an academy, the innovation plan must include a description of the teachers in the school to whom the innovation plan will be submitted for approval. Two-thirds of votes cast by the teachers in that election shall be required to approve the innovation plan. In the case of proposing a new program as an academy, the applicant shall follow the process laid out in M.G.L. c.71, s. 92(l) for establishing a new school.
2. In the case of a school conversion or the conversion of an established program into an academy, the innovation plan shall describe the process and schedule for seeking approval of the innovation plan by the teachers who must approve the plan. The innovation plan shall describe the process for conducting the vote, including absentee voting. The innovation plan shall ensure that the process allows the teachers sufficient time to review and consider the plan before the vote. The applicant, the school district, and the local teacher’s union shall coordinate to carry out the process described in the innovation plan. A teacher on approved leave from the school at the time of the election may vote in such election. A teacher who is retiring or who knows that he/she will not be employed at the school the following year shall not vote in such election. Two-thirds of votes cast by the teachers in that election shall be required to approve the plan.

**Innovation Schools Statute MGL c. 71 § 92 (l-j) excerpt:**

“In the case of a school conversion, upon completion of the innovation plan in subsection (j), the applicant shall submit the innovation plan to teachers in the school that is proposed for conversion for approval by secret ballot within 30 days. A two-thirds vote of the teachers shall be required to approve the plan. Upon approval of an innovation plan by the applicable union members the plan shall, within 7 days, be submitted to the school committee. If a two-thirds vote is not achieved, the innovation plan committee may revise the innovation plan as necessary and submit the revised plan to the teachers for a subsequent vote.”

**Overview of Innovation Schools Authorization Process**

Innovation Schools are established in accordance with a locally-based authorization process.

1. An eligible applicant **submits an initial prospectus to the district superintendent**. Plan must receive 2/3 approval from 3 member screening committee comprised of Superintendent or designee, a school committee member or designee, and a representative from the local teachers’ union.
2. An **innovation plan committee** that includes up to 11 school, district, and community representatives develops the innovation plan.
3. Upon completion of the innovation plan, specific steps are required.

* A **conversion school requires a two-thirds majority vote of educators** in the school.
* A **new school requires negotiations** among the applicant, teacher’s union, and superintendent **if the innovation plan includes proposed waivers from or modifications to the collective bargaining** The innovation plan is submitted to the school committee, which must hold at least **one public hearing**. A **majority vote** of the full school committee is required for approval.

1. Upon approval, **the Innovation School is authorized for a period of up to five years**.

**Definition of Teacher**

**Teachers who work half-time or more and hold one of the licenses listed below are eligible to vote in the case of a conversion school or academy.**

(a) Teacher Licenses and Levels

|  |  |
| --- | --- |
| 1. Biology | 5-8; 8-12 |
| 2. Business | 5-12 |
| 3. Chemistry | 5-8; 8-12 |
| 4. Dance | All |
| 5. Early Childhood: Teacher of Students With and Without Disabilities | PreK-2 |
| 6. Earth Science | 5-8; 8-12 |
| 7. Elementary | 1-6 |
| 8. English | 5-8; 8-12 |
| 9. English as a Second Language (ESL) | PreK-6; 5-12 |
| 10. Foreign Language | PreK-6; 5-12 |
| 11. General Science | 1-6; 5-8 |
| 12. Health/Family and Consumer Sciences | All |
| 13. History | 1-6; 5-8; 8-12 |
| 14. Instructional Technology | All |
| 15. Latin and Classical Humanities | 5-12 |
| 16. Library | All |
| 17. Mathematics | 1-6; 5-8; 8-12 |
| 18. Middle School: Humanities | 5-8 |
| 19. Middle School: Mathematics/Science | 5-8 |
| 20. Music: Vocal/Instrumental/General | All |
| 21. Physical Education | PreK-8; 5-12 |
| 22. Physics | 5-8; 8-12 |
| 23. Political Science/Political Philosophy | 5-8; 8-12 |
| 24. Speech | All |
| 25. Teacher of Students with Moderate Disabilities | PreK-8; 5-12 |
| 26. Teacher of Students with Severe Disabilities | All |
| 27. Teacher of the Deaf and Hard-of-Hearing | All |
| 28. Teacher of the Visually Impaired | All |
| 29. Technology/Engineering | 5-12 |
| 30. Theater | All |
| 31. Visual Art | PreK-8; 5-12 |

(b) Specialist Teacher Licenses and Levels

|  |  |
| --- | --- |
| 1. Academically Advanced | PreK-8 |
| 2. Reading | All |
| 3. Speech, Language, and Hearing Disorders | All |

(d) Professional Support Personnel Licenses and Levels

|  |  |
| --- | --- |
| 1. School Guidance Counselor | PreK-8; 5-12 |
| 2. School Nurse | All |
| 3. School Psychologist | All |
| 4. School Social Worker/School Adjustment Counselor | All |

Sample Ballot

|  |
| --- |
| [SCHOOL NAME] INNOVATION PLAN FACULTY VOTE  SECRET BALLOT VOTE  [DATE of VOTE] |

Please choose whether or not to approve the conversion of the [SCHOOL NAME] to an Innovation School based on the information provided, including expected working conditions in the school’s final Innovation Plan.

|  |
| --- |
| Insert brief summary of Innovation Plan and key working conditions: |

❑ YES, I approve the conversion of the [SCHOOL NAME] to an Innovation School based on the information provided in the final Innovation Plan

❑ NO, I do not approve of the conversion of the [SCHOOL NAME] to an Innovation School based on the information provided in the final Innovation Plan.