State Progress Toward Next Generation Learning

A NATIONAL LANDSCAPE

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Introduction

In 2017, Excel*in*Ed released _Policy, Pilots and the Path to Competency-Based Education: A National Landscape._ This survey of state law and policy on next generation learning identified and reviewed policies in 24 states that promoted personalized and competency-based education, removed obstacles and supported new models for public K-12 education. While there are many real obstacles to innovation in education, there are also many _perceived_ barriers; one of our most interesting findings was that many states already had more flexibility than they realized.

Now, two years later, there is even wider recognition that the traditional, one-size-fits-all model is no longer meeting the needs of students or their communities. K-12 education systems are considering ways to move to student-centered approaches that ensure students graduate with the knowledge and skills necessary for college or career. This 2019 report, _State Progress Toward Next Generation Learning: A National Landscape,_ identifies next generation learning programs across the country and presents seven Key Policy Components for state leaders to consider on their paths to innovation.

What Is Next Generation Learning?

Excel*in*Ed's strategy to advance mastery-based, personalized learning expanded in 2018 to encompass a broader range of innovative models and approaches comprehensively described as next generation learning. This strategy reflects and is intended to support a wide variety of state approaches because the process of redesigning education will be unique to each state's context. So, it's essential that states embark on this journey with a clear understanding of why they are pursuing next generation learning.

In Colorado, for example, the Innovation Schools Act of 2008 encourages diverse approaches to education and provides schools and districts greater control over certain educational areas to encourage innovation. Utah's Competency-Based Education Grants Program was designed to improve educational outcomes in public schools through mastery-based learning and other strategies. These and other state examples examined in this paper all fall under the umbrella of next generation learning.

Learn more about next generation learning at ExcelinEd.org.

Clearing the Way for Next Generation Learning

Next generation learning prioritizes innovative, student-centered practices to ensure every student succeeds. But the transition from conventional, one-size-fits-all systems to systems that identify and adapt to student needs cannot be achieved without the commitment of local leaders to try new approaches. **The hallmark of next generation learning programs is the opportunity for participating school districts or schools to identify the state laws and policies that present obstacles to innovation and improvement and to request exemption from them.** It is nearly impossible for schools to make the shift to next generation learning models without permission to rethink many of the state rules that define current systems—such as seat time, course credit requirements and age-based progression policies.

Taking Advantage of Existing Flexibility

As a first step to support next generation learning, states often identify policies that are believed to thwart innovation. But embarking on a sweeping overhaul of law and policy is not only a daunting process, it is, in most cases, not a necessary or advisable first step.

Our research shows that most states have already established flexibility authority that can be used to promote next generation learning.

Existing Flexibility

WAIVERS

Interest in student-centered approaches has led nearly every state legislature to create or expand authorizing provisions under which a state board of education or chief state school officer can consider and approve requests for waivers from state law and regulations. Many of these provisions provide specifically for waivers from seat time requirements or minimum hours of instruction.

PROGRAMS

Thirty-three states and Washington, D.C., have established general innovation or pilot programs to explore next generation learning. Most next generation program statutes offer much broader flexibility than waivers. General innovation and pilot programs often allow exemptions that are generally on par with those available to charter schools.

Our realization of the extent of existing flexibility, led us to search more deeply to understand why there's a widely held belief that schools don't have flexibility opportunities when, in fact, they often do. We have identified three immediate challenges which we seek to address through this report.

3 Challenges to Next Generation Learning

1

Some states still need to create a program to incentivize next generation learning, and many states can take steps to strengthen or expand existing programs.

This report identifies challenges states may face as they pursue next generation learning and offers clear guidance to consider as they design general innovation or pilot programs to meet the needs of their students and communities. As states create new programs or advance existing ones, policymakers should thoughtfully define what their vision for next generation learning is—and is not. This vision could consider everything from the role of technology in the classroom to the educational outcomes the program is working toward.

2

K-12 leaders and practitioners are often unaware of existing opportunities to design and implement next generation systems.

State leaders must do more to build understanding of existing opportunities and how school leaders can secure waivers or exemptions from regulations that stifle innovation. Often state education agencies are unaware of programs that have been in place for a long time or that were created for a different purpose. Opportunities for flexibility must be cataloged and effectively communicated to schools. Some states are beginning to prioritize this. In Idaho, for example, lawmakers took action to require the state's department of education to "conduct a statewide awareness campaign to promote understanding and interest in mastery-based education…" (Idaho Code § 33-1632, 2018)

3

Most states are missing out on opportunities to use data from waivers to drive needed regulatory reform.

State leaders must ensure systems are in place to collect the data needed to evaluate the success and impact of next generation learning programs. The underlying premise of these programs is that burdensome policies stand in the way of schools being able to evolve. Identifying the most frequently requested waivers—and the reasons why and proposed solutions— will provide policymakers valuable information as they make systemic changes. Currently only a few states—including Arkansas and Colorado—report information on waivers.

About This Report

Today, state legislators and policymakers can learn from an expansive body of strong state policy. Thinking through all aspects of any proposed next generation learning program—from purpose to implementation to evaluation—can inform new program design or enhance and strengthen existing programs.

This report builds off of our 2017 findings, *Next Generation Learning Policy Toolkit* and *Transitioning to Student-Centered Learning Policy Briefs* to offer state leaders, particularly legislators, information and resources to advance next generation learning for students. In this report, you will find:

- **An up-to-date landscape analysis of state efforts toward next generation learning.**

- **Policy examples reflecting the varying approaches states have taken to promote innovation.**

- **Insights into current and emerging state policy opportunities.**

- **State policy recommendations based on existing state examples, research and engagement.**

Inside This Report

▶ PART 1
National Landscape Overview provides a look at the current national landscape based on our updated 50-state survey of state programs.

▶ PART 2
7 Key Policy Components offers a detailed summary of state efforts and recommendations aligned to each component.

Unifying Themes Across States

Each state has its own vision for next generation learning and will chart its own course for supporting innovative schools. Yet some unifying themes—or commonalities—have emerged across a number of states from the way they define innovation to how they use waivers from state regulations to enable new practices to take root. For example, policymakers in Arkansas, Kentucky and Mississippi have codified a definition of innovation that, with minor variations from state to state, includes the following:

"Innovation" means a new or creative alternative to the existing instructional and administrative practices that is intended to improve academic performance and learning for all students.

National Landscape Overview
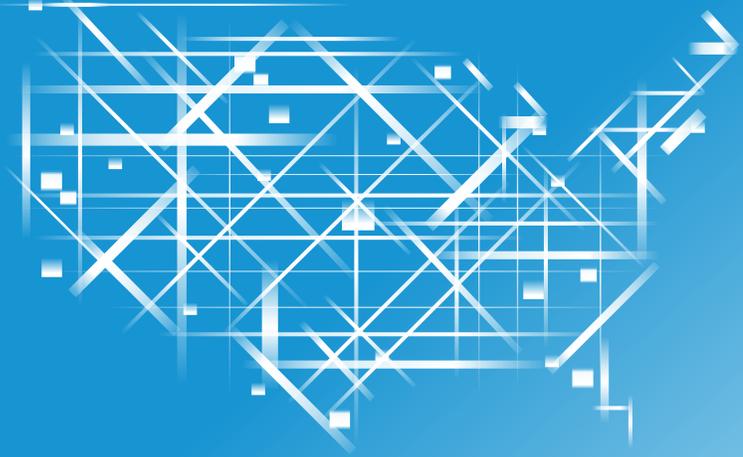
This report reflects data and information gathered during a spring 2019 review of next generation learning programs in all 50 states and Washington, D.C.

Specifically, we searched each state's code and state education agency regulations and website to identify provisions (i.e., waiver authority) and programs that promote innovation as an explicit or implicit purpose. As nearly every state legislature was in session during the research phase of this paper's development, we identified relevant bills and tracked them through enactment or the end of the state's session. Throughout this process, we also updated information on programs identified in our 2017 report, including some program expansions, rule and regulation promulgations as well as some program expirations. See the Appendix for more details on this report's research scan overview.

Research and analysis reveal steady growth in the establishment of next generation learning programs across the country. Whereas most of this growth can be attributed to the enactment of state legislation, we also note many programs that have been created by state boards of education or state education agencies without legislative encouragement or mandate. To support these efforts, several state agencies incentivize and support local action through various strategies. These include developing guidance, training and other resources; recognizing exemplary models of next generation learning; and planning grants awarded through a competitive process.

> Research and analysis reveal steady growth in the establishment of next generation learning programs across the country.

Program Types

This report distinguishes between programs that are codified (statutory) and those that are not (non-statutory). We also distinguish between general innovation programs in statute and pilot programs in statute.

Statutory Programs

GENERAL INNOVATION PROGRAMS

General innovation programs are ongoing or open-ended efforts. Even if the number of participants may be limited or subject to incremental increases in these programs, the intent is to create a "permanent" pathway for schools and local education agencies (LEAs) to seek out and utilize flexibility from state laws and regulations and other support for the implementation of next generation learning opportunities.

Spotlighting state efforts requires us to draw some bright lines. So, in this report and other resources linked throughout the report, we categorize state programs as general innovation programs if they do not have a well-defined next generation learning focus and, instead, give participants broad discretion to use waivers or exemptions from state law and regulation.

PILOT PROGRAMS

We consider a pilot program to be any small-scale (i.e., with a cap on participation), time-limited effort that is used to prove the viability of a model or approach. To be considered a pilot in this report, the program must provide some parameters on the types of models or approaches that will qualify for pilot participation, such as mastery-based education pilots.

Non-Statutory Programs

Many non-statutory programs have a next generation learning focus that made them appropriate for inclusion in this report. These include programs that are established through state board regulations or state commissioner initiatives in the absence of legislative mandate.

There is wide variation in the opportunities for and benefits of participation in these statutory and non-statutory programs—access to grant funding, approval of flexibility requests and collaboration with other participants in a network to name a few. In instances where the purpose of a program is to support school improvement or to reward good performance with flexibility, we try to note the degree to which the program's flexibility provisions can be used to advance next generation learning even though a participant is not required to do so.

Next Generation Learning Programs in the U.S.

This map shows current state policies related to next generation learning programs. It is intended only to reflect state law and policy foundations. It does not attempt to describe the status of program implementation.

Statutory	Statutory	Non-Statutory	Expired/Terminated	No Program
INNOVATION PROGRAM	PILOT PROGRAM	INNOVATION *OR* PILOT PROGRAM	INNOVATION *OR* PILOT PROGRAM	
Does not have a narrowly-defined next generation learning focus. Gives participants broad discretion to use waivers from state regulations.	Small-scale, time-limited efforts to test the viability of an approach. Provides parameters on the approaches that qualify for participation.	Has a next generation learning focus. Established through state board regulations or state commissioner initiatives.		

*The primary purpose of the next generation learning programs in Florida, North Carolina and Washington is to support school improvement or to reward good performance with flexibility.

Findings and Trends

In our review of next generation learning programs in all 50 states and Washington, D.C., we identified the following findings.

FINDING ONE

33 states and Washington, D.C., are or will soon be administering a next generation learning program.

24 STATES **have at least one general innovation program in statute.**	**10** STATES **have at least one pilot program in statute.**	**7** STATES & D.C. **have a non-statutory next generation learning program.**
5 STATES **have statutory programs in both the general and pilot categories.**	**3** STATES **have programs that are both statutory and non-statutory.**	**9** STATES **have established programs that are explicitly or solely focused on mastery-based education.**

See the Appendix for information on states.

FINDING TWO

Since 2016, at least 15 states have created new next generation learning programs. The approaches taken by state policymakers are varied, but all have taken steps to give schools flexibility to find new solutions to existing challenges.

Colorado established the High School Innovative Learning Pilot Program. This cutting-edge policy will allow schools to design and promote innovative learning opportunities for students to develop the knowledge and skills they need to successfully transition to college or career.

Florida enacted the Principal Autonomy Program Initiative in 2016. This general innovation program seeks to allow principals to operate schools in a way that produces significant improvements in student achievement.

Idaho enacted the Local Innovation School Act in 2016. This general innovation program allows schools and districts to evaluate existing laws and administrative rules to receive flexibility from laws and policies that impede local autonomy.

Illinois established the Competency-Based Education program in 2016. This pilot program promotes and incentivizes competency-based learning programs.

Indiana enacted the Coalition of Continuous Improvement School Districts in 2018. This general innovation program focuses on providing flexibility and innovation to improve student outcomes.

Massachusetts created the Innovation Schools program in 2017. This pilot program seeks to improve school and student achievement.

Michigan enacted the Competency-Based Education Pilot Grant in 2017. This pilot program has the goal of supporting student success through competency-based education.

Minnesota created the Innovation Research Zones Pilot Program in 2017. This general innovation program is designed to improve student and school outcomes.

Montana lawmakers passed legislation in 2019 for a general innovation program that creates a funding mechanism for districts implementing Transformational Learning Programs.

Nevada created the Competency-Based Education Network in 2017. This pilot program intends to provide competency-based education and create a network to study approaches to using personalized learning and competency-based education.

North Carolina enacted the Innovation School District and Innovation Zones program in 2016. This general innovation program is focused on improving student outcomes in low-performing schools.

North Dakota enacted the Innovation Education Program in 2017. This general innovation program was created to allow schools to have individualized missions, goals and objectives to meet the needs of their students.

Rhode Island enacted the School and Family Empowerment Act in 2016. This general innovation program seeks to provide an opportunity to support more high-performing and innovative schools within public education in the state.

Utah enacted the Competency-Based Education Grants program in 2018. This pilot program seeks to improve educational outcomes in public schools.

Virginia created the School Divisions of Innovation in 2017. This general innovation program allows for exemption from regulatory provisions and alternative school policies to meet the diverse needs of students.

FINDING THREE

Since 2016, at least 6 states have amended or expanded existing next generation learning programs.

| **Arkansas** | **Illinois** | **Kentucky** |
| **Colorado** | **Indiana** | **Utah** |

Illinois lawmakers, for example, expanded the state's Competency-Based High School Graduation Requirements pilot program to include all grade levels and amended the program to allow LEAs to apply in collaboration.

Utah lawmakers adopted amendments to the Competency-Based Education Grants Program to, among other things, eliminate a cap on participation and to strengthen requirements regarding the acceptance of competency-based education transcripts by institutions of higher education.

FINDING FOUR

In 6 states, next generation learning programs have sunset, been suspended or otherwise terminated.

| **Indiana** | **Kansas** | **Oregon** |
| **Iowa** | **Ohio** | **Pennsylvania** |

FINDING FIVE

In 13 states, there are no known next generation learning programs.

Alaska	**Hawaii**	**New Jersey**
Arizona	**Louisiana**	**New Mexico**
California	**Maryland**	**New York**
Delaware	**Missouri**	**South Dakota**
		Vermont

7 Key Policy Components

Many K-12 innovation programs share a common aim of encouraging new and creative approaches by providing district and school leaders and teachers with greater autonomy over key decisions. Most of these programs also offer participants the ability to seek flexibility— often in the form of a waiver—from requirements of state law and policy that hinder or prevent innovation intended to improve student achievement or enhance academic opportunities.

In creating any policy to authorize or require the establishment of a next generation learning program, state leaders should aim to support local efforts to create a school-, district- or community-wide vision for next generation learning. A vision in which all students have access to high-quality learning opportunities and supports that are personalized to individual strengths, interests and needs.

Excel*in*Ed has identified seven Key Policy Components for states to consider when designing general innovation or pilot programs.

Based on existing state examples and experience, Excel*in*Ed has identified seven Key Policy Components for states to consider when designing general innovation or pilot programs. These seven components encourage participation and provide guidelines to ensure programs follow the state's vision for next generation learning while protecting participating students and ensuring school accountability. Best of all, these components allow for a completely unique state approach to next generation learning.

Below, each Key Policy Component is described and illuminated with specific policy opportunities and examples. By considering each component, policymakers and other stakeholders can create strong foundations for next generation learning programs and begin to address the three challenges described above.

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View *Next Generation Learning: Key Policy Components* from Excel*in*Ed's Next Generation Policy Toolkit to learn more!

KEY POLICY **COMPONENT 1**
Purpose Statement

Any next generation learning program should have a purpose statement that establishes two things in clear, unambiguous terms:

1. **What do the program authorizers want to encourage schools to do?**

2. **Why do they want to do this?**

Developing a well-defined purpose statement requires states to have an idea of what K-12 educational opportunities in the state need to look like in the near future in order for students to graduate with the knowledge and skills necessary to succeed.

A few states have defined innovation or next generation learning, but they may, ultimately, find a definition to be too restrictive. Instead, states can consider beginning this work by creating a next generation learning vision. This vision will enable and encourage innovation at the school level, for the benefit of all students, and with the support and partnership of local school districts.

Fewer than half of states with statutory innovation programs adopted a purpose statement. Of those that have, they are often described in the legislative findings or intent. Some states focus their program's purpose on incentive funding, while others describe the purpose as gathering additional insights through a pilot program.

> In focusing on this Key Policy Component, states can consider the following policy recommendations as they craft their purpose statement.
>
> ■   **Create a Bold Vision**
>
> ■   **Identify a Clear Intent**

STATE POLICY RECOMMENDATIONS AND EXAMPLES

Based on existing state examples and broader research and engagement, we recommend that states wishing to create or modify next generation learning programs consider the following actions.

Create a Bold Vision

Clearly describe the next generation learning opportunities all students in your state should be able to experience. This vision could emphasize specific state focus areas—such as personalized learning or STEM—and the broad parameters within which change may unfold. By being clear on vision, policymakers can give the state education agency or designated administering entity a good sense of direction to guide implementation.

> **Rhode Island's** statutory Declaration of Policy provides that empowerment schools in the state are created to serve the General Assembly's commitment to developing and supporting strategies that foster cultures of excellence, innovation and continuous improvement. These schools "shall have unprecedented levels of regulatory and statutory flexibility; school-based autonomy…flexibility in school-based instructional policies and professional practices defined through shared leadership; and be uniquely positioned to create compelling learning environments…" (Rhode Island General Laws § 16-3.2-1)

Alabama adopted legislative findings describing the purpose of the state's Innovative School System. The Alabama legislature specifies that to further the goals of public education, each school system should be able to have maximum possible flexibility to meet the needs of all students. Further, there is a "critical need for innovative models of public education that are tailored to the unique circumstances and needs of the students in all schools and communities…" And to better serve students and better use available resources, "local boards of education, local school systems, and parents need the ability to explore flexible alternatives…" (Alabama Code § 16-6D-3)

Mississippi's statutory authorization for the creation of Districts of Innovation defines innovation as "a new or creative alternative to existing instructional and administrative practices intended to improve student learning and student performance of all students." Through statute, the legislature directs the board of education to promulgate administrative regulations in which "acceptable areas of emphasis for innovation" are identified. (Mississippi Code Annotated § 37-179-1)

Define a Clear Intent

Explain why the state's vision for next generation learning is best advanced through this approach and how the state's goals for students may be achieved. If possible, provide insight on what the program authorizers and administrators seek to learn from the program and what will follow.

Colorado specifies in statute that the purpose of the Innovation Schools Act of 2008 is to: grant schools and districts greater ability to meet the educational needs of their student populations; encourage diverse approaches to learning and education; and to encourage innovation in education by providing schools and districts greater control over certain educational areas.
(Colorado Revised Statutes § 22-32.5-102)

Utah's Competency-Based Education Grants Program statute is more detailed than most, at least with regard to intent. The statute states: "There is created the Competency-Based Education Grants Program…to improve educational outcomes in public schools by advancing student mastery of concepts and skills through the following core principles: (a) student advancement upon mastery of a concept or skill; (b) competencies that include explicit, measurable, and transferable learning objectives that empower a student; (c) assessment that is meaningful and provides a positive learning experience for a student; (d) timely, differentiated support based on a student's individual learning needs; and (e) learning outcomes that emphasize competencies that include application and creation of knowledge along with the development of important skills and dispositions. The grant program shall incentivize an LEA to establish competency-based education within the LEA…" (Utah Code § 53F-5-502)

Florida's statute authorizing the creation of the District Innovation School of Technology permits school boards to operate innovation schools for the purpose of "developing the innovative use of industry-leading technology while requiring high student academic achievement and accountability in exchange for flexibility and exemption from specified statutes and rules." (Florida Statutes § 1002.451)

Key Questions

At the earliest stages of next generation learning program design, state policymakers should consider some key questions, including:

What do you want to see a few years from now?

Minnesota's Innovation Research Zones Pilot Program, created by the legislature, was enacted to improve student and school outcomes, as well as to allow districts and charter schools to research and implement innovative education programming models designed to better prepare students for the 21st century. (Minnesota Laws, 2017 1st Special Session, Chapter 5, Article 2, § 52)

To what extent do existing state laws, regulations and programs feature the development of next generation learning models or innovation as their purpose?

Explore possible amendments to the existing program rather than the creation of a new one.

West Virginia's legislature enacted amendments to the state's existing Innovation in Education Act in the 2019 session. The legislation adds mastery-based learning as a new category under the state's existing Innovation in Education program. (West Virginia Code § 18-5E-8)

Is it best to create a pilot program or a more open-ended general innovation program?

With a pilot program, participating schools could be supported in designing, implementing and validating tightly defined models or strategies during a defined period. The results of the pilot can then be used to inform future state policy-level action. A longer-term and perhaps more expansive program could be appropriate if states are not looking to promote specific models but rather want to make the same opportunities and resources available to all schools to address the unique needs of their students and communities.

Minnesota's Experimental and Flexible School Year Programs, authorized by Minnesota statute, creates a pilot program designed to improve instructional quality, increase cost-effectiveness, make better use of community resources or available technology, or establish an alternative eligibility intended to identify pupils in need of special education services. (Minnesota Statutes § 124D.12; Minnesota Administrative Rules § 3500.1000)

KEY POLICY **COMPONENT 2**
Innovation Plan Requirements

Requirements for program participation, whether through an application or innovation plan approval process, should ensure the participants are prepared for success. Applicants should have a defined vision for next generation learning, have involved stakeholders and community members in planning, and be prepared and able to complete their plan. Program authorizers should define program priorities and plan requirements, such as criteria for participation and performance expectations, or provide administrators with guidance on establishing plan requirements in regulations.

State expectations for a school or district's innovation plan or program application should be crafted with brevity and simplicity in mind and with attention given to avoiding the creation of bureaucratic barriers that restrict participation. Most programs provide participants with flexibility to define their next generation learning vision, and in doing so, design an approach that is right for the applicant's local community and specific context.

In focusing on this Key Policy Component, states can consider the following policy recommendations as they develop their innovation plan requirements.

- **Identify Explicit Goals**
- **Keep It to the Essentials**
- **Ensure a Broad Base of Support**
- **Require Demonstration of LEA Support**
- **Give Schools Time to Demonstrate Progress**

Who Applies—School or District?

States have taken many different approaches. States may create innovation zones, provide innovation-focused grants or offer official innovation school/district designations. Many pilot programs also include charter schools. Excel*in*Ed recommends authorizing schools of innovation—but with the district, as the official local education agency (LEA), being the official applicant. Districts can apply for as many schools as allowed in law.

Identify Explicit Goals

The only way states and local leaders can determine program progress and success is by establishing a foundation for evaluation up front. Just as state policymakers should be clear on their vision and intent, innovation plans developed and implemented by schools should identify short- and longer-term goals that reflect local vision and context. These goals should be ambitious yet achievable. From here state and local leaders can begin to identify what they will need to collect during the term of the program.

> **Kentucky's** Districts of Innovation statute requires a district applying for participation in the program to establish goals and performance targets as part of its innovation proposal. These may include, "…1. Reducing achievement gaps among groups of public school students by expanding learning experiences for students who are identified as academically low-achieving; 2. Increasing pupil learning through the implementation of high, rigorous standards for pupil performance; 3. Increasing the participation of students in various curriculum components and instructional components within selected schools to enhance students' preparation at each grade level; 4. Increasing the number of students who are postsecondary-ready; and 5. Motivating students at different grade levels by offering more curriculum choices and student learning opportunities to parents and students within the district…"
> (Kentucky Revised Statutes §160.107)

Some state statutes and regulations describe how innovation plan goals and performance targets will be used, in part, to monitor and evaluate innovation program participants.

> **West Virginia** has established a program under which an Innovation in Education school enters into an operational agreement with the county board. This includes any conditions which must be met, any material term of the plan (e.g., curriculum, budget, school schedule, etc.), a process for amending or refining the Innovation in Education plan, annual performance targets, a process for monitoring and evaluating the overall performance and student success, any information needed for accountability and reporting, a process for improvement plans and intervention procedures. (West Virginia Code § 18-5E-5)

Keep It to the Essentials

If districts and schools are to truly reimagine systems and learning, they will need time and space to design and plan. States should guard against establishing requirements for the program application or innovation plan that go beyond the basics of: the school's vision and goals for next generation learning; evidence of commitment to innovation; and support from school personnel, parents, the LEA and the community. Schools should be regularly evaluating progress and making real-time adjustments to ensure they are meeting learning goals; the state evaluation should just confirm this self-evaluation. Overly prescriptive or bureaucratic applications can themselves be a barrier to innovation. States have taken a variety of approaches. Some have very detailed plan requirements.

> **Colorado's** Innovation plan requirements are perhaps the most detailed. They include: statements of the school's mission, including why designation as an innovation school would enhance the schools' ability to achieve its mission; descriptions of innovations the school would implement; list of programs within the school that would be affected; improvements that the public schools expect to achieve; estimate of cost savings; evidence of stakeholder support; and a list of waivers that will be required. (Colorado Revised Statutes § 22-32.5-104)

However, simpler may be better. As procedural lessons are learned, statutory changes will not be required to make adjustments.

> **Nebraska** limits innovation grants only to those programs whose plans indicate to the state board of education that the program is sufficiently innovative and will have a high chance of success. (Nebraska Statute § 79-1054)

> **Arkansas'** statute on Schools of Innovation simply requires a school district to submit its school of innovation application, following local board approval, to the commissioner of education for approval. It directs the state board of education to adopt rules to administer the program, including details on the application requirements and processes for review, approval and amendment of applications. (Arkansas Code § 6-15-2802 and § 2803)

Ensure a Broad Base of Support

States should require applicants to show meaningful parent, educator and community engagement as well as a long-term community outreach and stakeholder communication plan. Robust engagement and long-term planning can help ensure the sustainability of innovation in the face of implementation challenges and changes in leadership or staff.

> **Massachusetts'** statute creating the Innovation Schools program requires an innovation plan committee of not more than 11 individuals to, among other things, "assure that appropriate stakeholders are represented in the development of the proposed Innovation School; and... provide meaningful opportunities for the stakeholders to contribute to the development of such school." (Massachusetts General Laws Chapter 71 § 92)

> **Mississippi's** Districts of Innovation application requirements, defined in statute, include "... documentation of a critical mass of parental, community, educator and business support and capacity to effect a change," as well as, "evidence of teacher collaboration and shared leadership within the district and the schools..." (Mississippi Code § 37-179-1)

Require a Demonstration of LEA Support

District-level support is essential to school-level implementation. A resolution adopted by the local board supporting the plan and anticipated timeline for implementation goes far in demonstrating support. Similarly, the LEA should be able to identify the resources, support and assistance it will provide— including what flexibility will be given from local policies and procedures to support implementation.

> **Illinois'** statute establishing the Competency-Based High School Graduation Requirements Pilot provides that an application for participation in the program "must identify the community partners that will support the system's implementation" and requires the state superintendent of education to develop an application that requires demonstration of commitment from the school district superintendent, the president of the school board of the district, teachers within the school district who will be involved with the pilot program implementation, a community college partner and a higher education institution other than a community college. (Illinois Compiled Statutes, Chapter 110, § 148/20 and § 148/25)

Maine's statutes on Innovative, Autonomous Public Schools, Innovative Public School Zones, and Innovative Public School Districts provide for both school-initiated innovation plans and local school board-initiated innovation plans. For school-initiated innovation plans, a public school or a group of two or more public schools may submit an innovation plan to the local school board. Board-initiated innovation plans allow school boards to initiate and collaborate with one or more public schools within the school administrative unit to create one plan. Any school that may be affected under a board-initiated plan is required to have the opportunity to participate in the creation and implementation of the plan. (Maine Statutes § 6213)

Give Schools Time to Demonstrate Progress

It takes time to show results. Consequently, states should consider giving schools of innovation sufficient time to demonstrate progress and, ultimately, success. Schools should have a year or more in which to focus on planning and design and then to prepare for implementation.

While states should give schools this time to demonstrate progress, schools should also be continuously monitoring their own progress to improve outcomes and build support with stakeholders by communicating successes. With this approach, schools will be able to course correct throughout the year—rather than waiting for a state evaluation to identify issues.

Utah's Competency-Based Education Grants Program is perhaps the best example of statutorily defined expectations—and grant funding—for three essential phases of work leading to the validating and scaling of next generation learning strategies. There is a separate grant application process and requirements for Planning Grants, Implementation Grants and Expansion Grants. Each process addresses a number of the state policy recommendations identified throughout this report. (Utah Code § 53F-5-503 to § 54F-5-505)

North Dakota's Administrative Code provides for regulations for Innovative Education Programs within the state, encouraging planning and design prior to implementation of the program. Regulations encourage schools, school districts and nonpublic schools to submit an innovative education program planning proposal, followed by an implementation proposal. The planning proposal and process requires the participation of stakeholders. (North Dakota Administrative Code § 67-19-03)
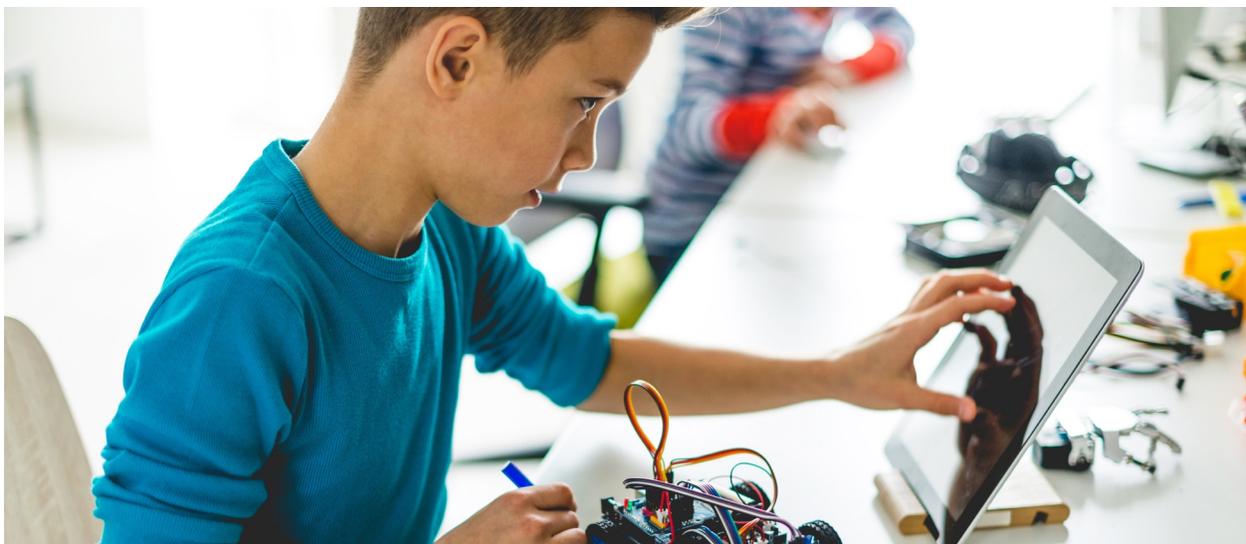
KEY POLICY **COMPONENT 3**
Innovation Plan Process and Administration

Legislators can boost interest among potential school district or school participants by establishing in statute a well-designed process and guidelines for next generation learning program administration.

Virtually all next generation learning programs require potential participants to submit information for review and approval—usually by the state board of education or chief state school officer. While there are some promising state initiatives that provide some level of support to all interested districts and schools, this report focuses primarily on programs with a process for accepting or designating qualified participants. We encourage all states to work toward full participation by every school and district in the state rather than simply picking a small number of winners.

In focusing on this Key Policy Component, states can consider the following policy recommendations as they develop and administer their innovation plan process:

- **Delegate Program and Process Design**

- **Offer Timely Responses**

- **Define Participation Terms**

- **Give Written Feedback**

Without getting overly prescriptive, state leaders should consider establishing a timeline for decisions to be made regarding program participation and by which applicants not selected for participation will be provided written feedback on their submission.

Operating Agreements

Depending on the state context, it might also be appropriate to require participants to enter into an operating agreement or contract with the entity administering the program to clearly establish the terms of participation.

The Alabama State Department of Education has, for example, created an Innovation Zone/Flexibility Application which serves as the basis for a Flexibility Contract. This sets forth a local school system's request for relief from specific state mandates in exchange for a commitment to implement an Innovation Plan to meet accountability benchmarks and five-year targets. A local school system's superintendent and board president must both sign the application and certify compliance with Flexibility Contract and Innovation Plan requirements in ordered to be considered an Innovative School System.

Delegate Program and Process Design

As lawmakers create next generation learning programs, they can inadvertently impede future progress by prescribing too much in state statute—thus requiring future changes to also be made in statute. Instead, states should carefully consider which details of the application process and program administration should be prescribed in statute and which can be determined by the delegated agency in regulation or guidelines.

When delegating program and process design to the delegating agency (state board of education or state education agency), legislators should consider providing direction on the core process elements such as eligible participants, timelines, amendment and resubmission opportunities and participation term and renewal.

Legislators should consider taking the following steps, as appropriate, when authorizing a new next generation learning program.

- **Identify who will review and approve submissions for participation.**

- **Identify who will be responsible for program implementation and ongoing administration.**

- **Identify the length of time or term of participation for program participants, with or without the possibility of renewal.**

> States should carefully consider which details of the application process and program administration should be prescribed in statute and which can be determined by the delegated agency in regulation or guidelines.

In most instances, this will be either the state board of education and/or state education agency. As such, the statute could require many of the program design details and administrative procedures to be provided for in rules or regulations.

Indiana's Innovation Network School requires the state board of education to approve or disapprove a submitted plan. (Indiana Code § 20-25.7-4-3)

Virginia's statute providing for the establishment of School Divisions of Innovation requires the state board to "promulgate regulations for the designation of School Divisions of Innovation…"
(Virginia Education Code § 22.1-212.29)

Arkansas statute specifies that the state commissioner of education may approve a public school as a School of Innovation. (Arkansas Code § 6-15-2802)

Offer Timely Responses

A transparent and efficient process should afford applicants timely feedback so that school plans can be implemented as designed following approval. It should also provide program administrators with clarity regarding authorizer intent. In most instances it is reasonable to require state board or state agency decision-making within 60 days of receipt of any plan or application. Some state statutes specify timelines for review and approval or disapproval of applications.

Alabama's application process requires the Alabama Department of Education to send written notification of approval or non-approval within 60 days. (Alabama Department of Education, Submission and Approval Process)

Indiana's statute authorizing Performance Qualified School Districts and High Schools requires the state board to act upon a high school's waiver request not later than 60 days after the waiver request is submitted to the state board. (Indiana Code § 20-24.2-3-3)

Oklahoma statutes require the state board of education to approve or disapprove the requests for school empowerment programs and the empowerment plan within 90 days of receipt. (Oklahoma Statute § 70-3-129.11)

Define Participation Terms

With a pilot program, the term of participation will be defined. Three to five years is common, but optional. Some innovation programs also establish a specific term for participants, as well as provisions for renewal. A term of five years is generally appropriate for both pilots and innovation programs. With any defined term of participation, enough time must be allotted not only for full implementation but also for a thoughtful design and planning phase.

> A term of five years is generally appropriate for both pilots and innovation programs.

Oklahoma's School District Empowerment Program statute limits an approved request and plan to be for no longer than three years. Prior to the beginning of the third year, the school district may apply for renewal of the approved request and plan. (Oklahoma Statute § 70-3-129.11)

Mississippi's statute on Districts of Innovation establishes an initial approval period of five years and, "each renewal of a district of innovation shall not exceed five (5) years and shall comply with administrative regulations promulgated by the board pursuant to this statute." (Mississippi Code § 37-179-1)

Give Written Feedback

By requiring that written feedback be provided to applicants whose submissions are not approved, states offer districts or schools the chance to reflect on the feedback, make improvements that are reflected in plan amendments and reapply for participation in the program. While quite a few state statutes require that applicants be given an opportunity to amend and resubmit a plan, few explicitly require that the applicant be provided with written feedback.

It is important to note that feedback is helpful for accepted applications as well. The comments can help to strengthen implementation and establish a long-term pattern of communication and interaction with the state agency.

Colorado statutes require feedback if a local school board rejects the plan that was submitted. This feedback must include a written explanation of the basis for this decision. The public school or group of schools that was applying for Innovation School status are then authorized to resubmit an amended innovation plan. (Colorado Revised Statutes § 22-32.5-104)

Alabama's statute authorizing innovation schools requires the state board of education to promulgate rules and regulations that include an, "outline of procedures and necessary steps that a local school system shall follow, upon denial of an original resubmission, to amend and resubmit an innovation plan and school flexibility contract for approval." (Alabama Code § 16-6D-6)

KEY POLICY **COMPONENT 4**

Flexibility Request

There is one common component across most next generation learning programs: the opportunity for schools to apply for flexibility from state statutes, regulations and policies that may hinder full implementation of the school's innovation plan. However, for policymakers to gain the knowledge these initiatives were designed for, the applications and requirements for these requests must be designed appropriately.

There are three critical flexibility design components to which next generation learning program authorizers appear to have given only cursory consideration. Yet state policymakers need these components to understand and learn from their investments in next generation learning.

In focusing on this Key Policy Component, states can consider the following policy recommendations as manage flexibility requests.

- **Define a Scope of Flexibility**

- **Require a Rationale for a Flexibility Request**

- **Allow Waiver Requests at Any Time**

Policymakers need to provide regular reports on waiver requests—including details on waivers granted and denied and the rationale for each decision. Policymakers should also receive timely feedback from schools on the impact of waivers to determine the need for additional legislative and/or regulatory reform. In the absence of this information, state policymakers will be hindered in their efforts to learn from their work to support next generation learning.

STATE POLICY RECOMMENDATIONS AND EXAMPLES

Define a Scope of Flexibility

States should determine what is in and out of the state's scope of flexibility. For example, state law or policy should prohibit exemptions from any requirements designed to protect student and educator health, safety and civil rights. Additionally, limitations on exceptions from federal and state assessment and accountability requirements are often justified. Some states also prohibit waivers from state laws regarding the fair dismissal of educators, public employee retirement, financial management and collective bargaining.

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Rhode Island's statutes provide clarity on what flexibility is available to an Empower School. (These schools operate under the district leadership of the superintendent and school committee but are managed collaboratively on site by the principal and the faculty.) The statute explains, "Upon registration of the empowerment school designation... the commissioner shall be deemed to have authorized all necessary variances from statutes and regulations enumerated in the application…. (b) Except as otherwise provided in this chapter, all statutes, regulations, and collective bargaining agreement terms and conditions shall apply to empowerment schools." (Rhode Island General Laws § 16-3.2-2 and § 16-3.2-3)

Indiana's Innovation Network Schools statute is perhaps the most straightforward approach taken by a state. It clearly identifies three categories of law and regulation from which Innovation Network Schools are automatically exempt: statutes applicable to a governing body or school corporation; state board rules or guidelines, except those regarding teacher licensure; and local regulations or policies unless specifically incorporated into an innovation network school agreement. The statute further defines a limited set of statutes that do apply to these schools, including statutes applicable to charter schools and those regarding staff performance evaluations as well as employment of teachers and other personnel in charter schools. (Indiana Code § 20-25.7-4-8)

Require a Rationale for a Flexibility Request

States should consider requiring schools seeking flexibility to first identify any existing laws or policies that are or are likely to impede implementation of their innovation plan. Waiver requests should include a description of the innovative practices schools seek to implement and how the waiver would facilitate next generation learning. By requiring this, program authorizers create the opportunity for local leaders to highlight policy barriers which might be addressed by future legislative or regulatory action.

Florida requires that any application to the District Innovation School of Technology program: demonstrate how the school districts meet and will continue to meet the requirements in statute; identify how the school will accomplish the purposes and guiding principles of Innovation Schools of Technology; identify and provide supporting documentation for the purpose and impact of each waiver; and confirm that the school board remains responsible for the operation, control and supervision of the school. (Florida Statutes § 1002.451)

Maine's statutes on Innovative Public School Zones and Innovative Public School Districts require an applicant's innovation plan to include, "A listing of the programs, policies and practices within the school, zone or district that would be affected by the innovations identified by the school, zone or district and the manner in which they would alter current programs, policies and practices. The programs, policies or practices may include, but are not limited to: (1) A description of any research-based educational program to be implemented; (2) The length of the school day and the school year; (3) The student promotion and graduation policies; (4) The assessment plan; (5) The budget; and (6) The staffing plan…" Plans must also include, "A description of any statutory requirements applicable to public schools or school administrative unit policy requirements that would need to be waived for the school, zone or district to implement the identified innovations." (Maine Rev. Statutes § 6213)

Allow Waiver Requests at Any Time

When creating a next generation learning vision and plan, school and district leaders are unlikely to fully understand the specific provisions of law and regulation that are likely to impede progress. They almost certainly have ideas or perceptions about policy barriers to innovation but should not be expected to provide a finite list until implementation is underway. As long as they are meeting existing program commitments, participating schools should be allowed to make flexibility requests, or seek amendment of prior requests, at any time throughout their next generation learning program work.

West Virginia's state board of education rules regarding Innovation in Education school designation is ideal in that requests for exceptions may be submitted at any point during the Innovation in Education designation. (West Virginia SBE Rules § 126-75-4)

Maine's statutes on Innovative Public School Zones and Innovative Public School Districts provide a detailed but manageable approach to amending waiver requests. "If the school board, in collaboration with one or more public schools...revises an innovation plan...the school board may request additional waivers or changes to existing waivers of the requirements of laws and rules as necessary to accommodate the revisions to the innovation plan, and the commissioner shall grant the request unless the commissioner concludes that the waivers or changes to existing waivers would be likely to result in a decrease in academic achievement in the school, zone or district, or would not be fiscally feasible." (Maine Revised Statutes § 6213)

Wisconsin Districts of Innovation, pursuant to guidelines of the state education agency, must obtain prior approval of the Wisconsin Department of Public Instruction "...whenever any substantive changes are made to the innovation plan outlined herein, including changes to goals or metrics or any additional waivers that may be needed to achieve the innovation request." (Wisconsin Department of Public Instruction, Districts of Innovation)

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View the briefs *Maximizing Assessment Flexibility: Part 1* and *Maximizing Assessment Flexibility: Part 2* in Excel*in*Ed's Transitioning to Student-Centered Learning Series to learn more!

KEY POLICY **COMPONENT 5**
Innovation Network

Several states have taken steps to support schools with their transition to next generation learning by establishing an innovation network. Innovation networks can be formal, even required by statute, or less formal, as many are designed by a state education agency out of the recognition that next generation learning work is best advanced through collaboration. Through these networks—or incubators as one state calls them—schools can collaborate, share successes and promising practices, brainstorm solutions to challenges and identify policies that hinder implementation.

State leaders are often network administrators and conveners. In this role, they should provide technical assistance, take steps to remove barriers to innovation (such as through guidance documents and training) and develop state resources to support program expansion.

Unfortunately, only a few next generation learning programs establish an innovation network. Presently, even fewer states define the technical assistance and other supports participating schools or districts can expect to receive through their network. State policymakers have an opportunity to get more out of their efforts to spur innovation by providing technical assistance and creating space for collaboration and mutual support.

> In focusing on this Key Policy Component, states can consider the following policy recommendations as they develop innovation networks.
>
> ■ **Identify Network Goals**
>
> ■ **Develop a Plan for State Support**

STATE POLICY RECOMMENDATIONS AND EXAMPLES

Identify Network Goals

To ensure the state network is providing the greatest possible opportunities for schools of innovation to collaborate, states should define clear goals for their networks. Excel*in*Ed's Next Generation Learning Model Policy identifies four goals states can consider as they create their networks: (1) increase statewide knowledge and understanding of school innovations; (2) provide opportunities for schools of innovation to collaborate and share resources and lessons learned; (3) develop information, materials and other applicable resources for use across the state, districts and schools; and (4) identify data and metrics to be used to evaluate success, progress and growth for recommendation to the chief state school officer.

> **Kentucky** created an Innovation Lab Network, a partnership between local school districts and the Kentucky Department of Education. This network was designed "to provide a space for sharing innovative strategies and learning about ways to transform [the] education system." Participating districts learn from each other and from experts about innovation in education. Kentucky also participates in the Council of Chief State School Officers Innovation Lab Network, which encourages work among peer states to "advance new models of learning that can best prepare all students for success in the 21st century." (Kentucky Department of Education, Innovation Lab Network; CCSSO, Innovation Lab Network)

Idaho legislators first codified and then, in spring 2019, expanded the state's Mastery-Based Education program. The initial bill directed the state department of education to take several specific actions "to move Idaho toward a mastery-based education system." These actions include: (1) establishing a committee of educators to "identify roadblocks and possible solutions in implementing mastery education and develop recommendations for the incubator process;" and (2) facilitating the development of an "incubator process and assessments of local education agencies to identify the initial cohort of up to twenty (20) local education agencies."

Recently enacted amendments eliminate the cap on participation and formalizes the Idaho Mastery Education Network. The legislation also directs the department to facilitate and maintain the network to: advise the superintendent and state board of education on the progress of the transition to mastery-based education; develop recommendations for continued implementation; implement relevant state policies; and provide network resources to school districts. (Idaho Code § 33-1632; Idaho Senate Bill 1059, 2019)

Develop a Plan for State Support

Innovation is, by definition, new territory for school leaders. Likewise, determining how best to support innovation will require state agencies to depart from their traditional roles. Considering this, the state education agency should consider developing its own plan—with state board of education input or approval as appropriate—for administering a network of next generation learning schools.

Rather than a rigid enforcer of policy, state agencies must determine how to empower school leaders to explore the most effective approaches to improving educational outcomes. Policymakers should consider whether the state education agency may contract with a third-party provider for network administration.

> Rather than a rigid enforcer of policy, state agencies must determine how to empower school leaders to explore the most effective approaches to improving educational outcomes.

Nevada established a network as part of the state's statutory pilot program. This network of program participants have regular meetings that focus on what other states are doing to encourage innovation, updates on pilot site actions, policy research, legislative updates and professional development opportunities. (Nevada Revised Statutes § 389.200 to § 389.230)

Idaho's recent amendment of statutes regarding the Idaho Mastery Education Network, highlighted above, specify that the state department of education must "provide network resources, including professional development, coaching and best practices to Idaho public school districts and charter schools." (Idaho Senate Bill 1059, 2019)

KEY POLICY **COMPONENT 6**
Student Protections

Next generation learning innovations and the flexibility provided to establish new models are strategies designed to benefit students. However, while pushing the boundaries of time, place and pace, educators and policymakers must take steps to ensure all students succeed developmentally and academically.

It is important to require adherence to federal and state laws and policies governing school safety, bullying and harassment, civil rights, educational and support services for students with disabilities and others, etc. But states must be aware that transitioning to next generation learning models may inadvertently expose students to obstacles. These obstacles could include challenges in transferring to another school, securing admission to post-secondary learning opportunities and accessing financial aid or scholarships.

> In focusing on this Key Policy Component, states can consider the following policy recommendations as they develop student protections:
>
> ■ **Ensure Seamless Transfers**
>
> ■ **Facilitate Postsecondary Access**

STATE POLICY RECOMMENDATIONS AND EXAMPLES

Ensure Seamless Transfers

Many new learning models focus on the mastery of key concepts of skills regardless of the time, place and pace in which they are acquired. This approach often leads to the elimination—or at least blurring—of conventional age, grade, course and time-based structures. As a result, report cards and transcripts may not feature traditional elements such as grade point average (GPA) or class rank. These nontraditional transcripts from schools of innovation can mean students have to repeat coursework if they transfer to more traditional schools.

To address this, K-12 state policymakers can work in cooperation with local leaders to ensure for the seamless transfer (i.e., without the need to repeat coursework) of students transferring from a school of innovation. To date, only two states have addressed these policies in statutes that establish next generation learning programs.

> **Utah** establishes protections for competency-based students who transfer within the LEA to another school or to another LEA that does not have a competency-based education program. This statute specifies the student may not be "penalized by being required to repeat course work that the student has successfully completed, changing the student's grade, or receive any other penalty related to the student's previous attendance in the competency-based education program." (Utah Code § 53F-5-507)

> **West Virginia** statute also provides protections for students who transfer from a mastery-based education school to another school within the county or any other county in the state that does not have a mastery-based education program. This statute prohibits the schools from penalizing those students by requiring them to repeat course work covering content that the student has already successfully mastered or by any other penalty related to the student's previous attendance in the mastery-based education program. (West Virginia Code § 18-5E-8)

Facilitate Post-Secondary Access

Non-traditional transcripts can also place high school graduates at a disadvantage when applying for admission to colleges and universities as well as financial aid and scholarships. Policymakers must also establish policies and partnerships that ensure fair and equitable access for admission to institutes of higher education as well as scholarships and financial aid for graduates of schools implementing innovative school models or using non-traditional diplomas and transcripts. This issue deserves much greater attention that it has received to date.

Utah statute requires institutions of higher education to "recognize and accept on equal footing as a traditional high school diploma a high school diploma awarded to a student who successfully completes an education program that uses, in whole or in part, competency-based education…" A recent bill signed by the governor in Utah specifies this shall be for purposes of admission, scholarships and other financial aid consideration. This statute goes one step further and requires institutions of higher education to cooperate with LEAs to facilitate the advancement of any student who attends a competency-based education program as well as cooperate in the development of an LEA plan or program. (Utah Code § 53F-5-507)

West Virginia also requires institutions of higher education to recognize and accept credentials and diplomas awarded to students who have shown content mastery gained through mastery-based education "on equal footing as a traditional high school transcript and diploma." (West Virginia Code § 18-5E-8)

State and local leaders can help protect students by involving higher education system representatives in next generation program design from the earliest days through implementation and administration. However, to have real impact, K-12 leaders should enlist higher education partners in identifying the competencies students need to master in K-12 in order to move on to credit-bearing work in post-secondary settings.

Illinois' statute establishing the Competency-Based High School Graduation Requirements Pilot Program provides that an application for participation in the program "must identify the community partners that will support the system's implementation." The statute also "requires the state superintendent of education to develop an application that requires demonstration of commitment from the school district superintendent; the president of the school board of the district; teachers within the school district who will be involved with the pilot program implementation; a community college partner; and a higher education institution other than a community college." The Illinois State Board of Education has included state higher education representatives as partners in articulating the program's competencies. (Illinois Compiled Statutes, Chapter 110, Section 148/20 and Section 148/25)

Ohio's statute authorizing the state's Competency-Based Education Pilot requires that competency-based education offered by a participating district, school or consortium of districts incorporates partnerships with post-secondary institutions and members of industry. (Ohio Revised Code §733.30)

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View the brief _Higher Education Requirements_ in Excel*in*Ed's _Transitioning to Student-Centered Learning Series_ to learn more!

KEY POLICY **COMPONENT 7**

Evaluation and Reports

Innovation programs exist to improve outcomes for students by providing support for change and statutory or regulatory flexibility. While getting those details right is difficult, state policymakers must not overlook the need to adequately provide for the collection and reporting of program data, progress monitoring, program evaluation and continuous improvement.

All new education programs and initiatives are subject to scrutiny from policymakers, media and parents. However, the level of scrutiny state innovation and pilot programs face is often heightened since these innovative programs are, by definition, untested. Because most existing general innovation or pilot programs are relatively new, they do not have a track record of success yet. In fact, many schools and districts participating in these programs are still in the design and planning phase, so they don't have a track record at all. As such, little empirical data is available for states to reference when developing a program or measuring the full impact of innovation and pilot programs on students and their outcomes.

In focusing on this Key Policy Component, states can consider the following policy recommendations as they develop evaluations and reports:

- **Determine How Impact Will Be Measured**
- **Plan and Prepare for Data Collection**
- **Have a Plan to Communicate Progress**
- **Initiate Systemic Change**

STATE POLICY RECOMMENDATIONS AND EXAMPLES

Determine How Impact Will Be Measured

Applicants should be given the flexibility to propose desired outcomes that are unique to their proposals, but the state must define a set of metrics that will be used consistently for all participants. States should provide clear examples of metrics and indicators that include, at a minimum, student engagement, instructional practices, performance on assessments (formative, benchmark and summative), high school success and post-secondary success. State policymakers should also require program participants to identify progress measures that will be reported and other data that will be made available to the state and other stakeholders, including parents, the community and state-level policymakers.

Oklahoma Administrative Rules specify that each School District Empowerment Program application shall clearly identify and describe the "expected student performance levels to be demonstrated and evaluated as a result of the proposed deregulation, waiver or participation..."
(Oklahoma Administrative Rules § 210:35-3-228)

Connecticut expands on the usual expected outcomes requirement and requires an innovation plan to include discussion of the following measurable goals: student attendance; student safety and discipline; student promotion, graduation and dropout rates; student performance on the statewide mastery examination; progress in areas of academic underperformance; progress among subgroups of students, including low-income students, limited English-proficient students and students receiving special education; and a reduction of achievement gaps among different groups of students.
(Connecticut General Statutes § 10-74h)

Plan and Prepare for Data Collection

If states identify early on what data will need to be collected to accurately evaluate the impact of innovation and pilot programs at each stage of implementation, both state and local leaders will be able to identify what data exists and how others will be created. Furthermore, education leaders can also decide how to set up state and local data systems to identify students participating in state programs and for which period they participated. This will make it possible to evaluate the impact of programs on long-term student outcomes such as high school graduation and postsecondary success.

State summative assessments will be able to provide some of the data necessary, but participating schools should be asked to identify what formative and interim assessments will be used. Full participation in data collection and evaluation activities should be made clear on any state program applications.

> **Utah** incorporated the Program Quality Indicators suggested in Excel*in*Ed's Evaluating Impact policy brief into the state's Competency-Based Education Framework. The Framework notes that, "To measure the Utah Competency-Based education program quality in the pilot, it is important to identify the correct indicators and the timing for the associated data collection." The indicators were also incorporated into the state's Competency-Based Education Planning Grant application.

Have a Plan to Communicate Progress

A thoughtful evaluation plan informs parents, teachers, the community, policymakers and more about what is working and what isn't in next generation learning programs. An evaluation should: provide local leaders with the information necessary for continuous improvement and for ongoing community engagement; meet legislative expectations by demonstrating program impact, highlighting barriers to success, and options for expansion; and arm state administering agencies with data to inform the design and delivery of technical assistance, targeted support and cross-participant collaboration. High levels of transparency will help build trust in the program and evaluation process.

> **Excel*in*Ed's Next Generation Learning Model Policy includes the following recommendation:** *The Department shall develop an evaluation plan that informs parents, teachers, the community and policymakers about the status of the innovation network, including successes, challenges and progress made toward established goals.*
> *The evaluation plan shall include:*
> a. *Performance indicators that include but are not limited to measures of:*
>   i. *Student Engagement*
>   ii. *Instructional Practices*
>   iii. *Performance on Assessments (formative, benchmark, and state)*
>   iv. *High School Success*
>   v. *Post-Secondary Success*
> b. *Timeline of when reports will be produced (including interim reports)*
> c. *Persons, organizations or entities that may conduct the evaluations*
> d. *Data required from schools*
> e. *Communication strategy for parents, teachers and the community*
> f. *Annual reports to the Governor, the President of the Senate and the Speaker of the House articulating the findings, implementation milestones, and outcomes as outlined above. The report shall also include a list of requested and approved flexibility requests as well as any statutory recommendations.*

North Dakota's Innovative Education Program regulations require participants to describe the evaluation measures that will be used to monitor the progress of program implementation. The regulations also require participants to evaluate how the program has improved the delivery of education, improved the administration of education, provided increased education opportunities for students or improved the academic success of students. Participants must have an evaluation plan for using multiple measures as the regulations require that, "Early stages of evaluation must include measures, such as attendance, disciplinary incidents, student engagement, student voice, student and parent surveys, and evidence of improved instructional practices…Mid-stages and later stages of evaluation must include measures of student performance, including academic content skills, performance indicators, as well as proficiency and growth measures."
(North Dakota Admin. Code § 67-19-03-04)

Nebraska's statute requires Innovation Grant Program applicants to specify measurable objectives "for improving education outcomes for early childhood students, elementary students, middle school students, or high school students or for improving the transitions between any successive stages of education or between education and the workforce." Statute also dictates "the method for annually evaluating progress toward a measurable objective, with a summative evaluation of progress submitted to the state board and electronically to the Education Committee of the Legislature …"
(Nebraska Revised Statutes § 79-1054)

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View the brief *Evaluating Impact* in Excel*in*Ed's Transitioning to Student-Centered Learning to learn more!

INDICATORS TO MEASURE PROGRAM QUALITY

It is important to identify the correct indicators and the timing for the associated data collection to appropriately measure state innovation pilot and program quality. While student outcomes should remain at the core of evaluating the impact of state programs, many of the recommended indicators below are particularly valuable in measuring innovation pilot and program effectiveness when student outcome data is limited.

Program Quality Indicators*

Taken from Excel*in*Ed's brief *Evaluating Impact*.

Leading Indicators During Implementation	**Student Engagement**

Student Engagement
- Absenteeism rates
- Student surveys

Instructional Practices
- Teacher survey of instructional practices
- Administrative observations
- Teacher turnover by teacher effectiveness
- External observation for fidelity of implementation
- Trend in students needing added instructional support/interventions

Primary Indicators
Once Fully Implemented for at Least Three Years

Performance on Local Formative and Benchmark Assessments
- Percent of students demonstrating at least a year's worth of improvement or more in core subject areas
- Percent of students demonstrating proficiency at a specific level in core subject areas
- Percent of students on-track to be college/career ready by the end of high school in core subject areas

Performance on State Standardized Assessments
- Percent of students making at least a year's worth of growth in math and ELA
- Percent of students performing at proficient or above in math and ELA
- Percent of students on-track to graduated college/career ready by the end of high school in math and ELA

Long-Term Indicators
Student Outcomes Post-Graduation

High School Success
- Percent of students graduating in 4-years or less
- Percent of student graduating with a college/career ready diploma (if offered in state)
- Percent of students who have completed a rigorous high school curriculum:
  - Math—Completed Trigonometry or higher
  - Science—Completed Biology, Chemistry or Physics
- Percent of students proficient in a specific vocational/technical skill
- Percent of students demonstrating college/career readiness:
  - Percent of students performing at the college ready benchmarks on college admissions tests (SAT/ACT)
  - Percent of students having earned college credit in high school
  - Percent of students having earned an industry certification

Postsecondary Success
- Percent of students enrolled in 2- or 4-year college within two years of graduation
- Percent of students who persisted from their 1st to 2nd year of college within 3 years of graduation
- Percent of students in 2- or 4-year college who enrolled in at least one remedial course
- Percent of students with an industry certification
- Percent of students not enrolled in college who have a full-time job with benefits

*All outcomes should always be disaggregated by subgroups.
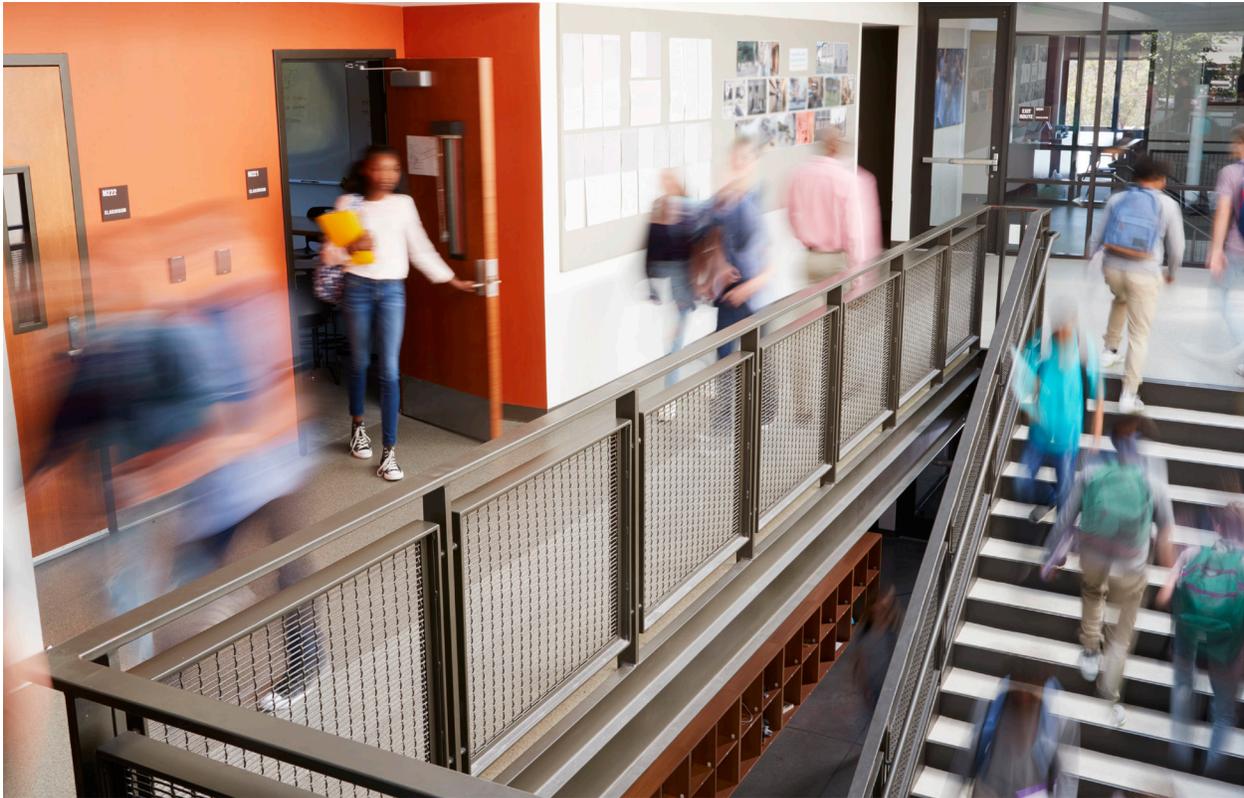
Initiate Systemic Reform

Thoughtful preparation at the outset of program participation should include the establishment of a process by which schools reflect on successes and challenges—particularly the impact program flexibility has had on their efforts and recommendations for future statutory and regulatory reforms. Through this process, practitioners, administrators and policymakers will be able to determine whether exemptions from laws and regulations have had a positive impact on innovation. With this information they can then work together to make needed changes.

Program administrators can facilitate this process by reporting on the specific provisions of law and regulation for which waivers were requested, approved and denied. Working together, the administering agency and program participants can then identify barriers that may be preventing participants from realizing the full benefits of flexibility.

> The **Arkansas** Department of Education reports include a summary of waivers granted to more than 25 percent of entities requesting waivers under four opportunities created for schools and districts to seek flexibility. The Frequently-Granted Waivers report identifies the top topics of waivers (teacher licensure, flexible schedule and curriculum) and the number and percentage of entities receiving a waiver in that area.

> **Colorado's** state education agency makes public a report listing of every waiver granted (by code section) for Innovation Schools with legislative recommendations.

What's Next ?

As this report indicates, there are dozens of examples of meaningful advancement of next generation learning.

Each year, more states advance opportunities for schools to implement next generation learning strategies. Today, there are over 30 statutorily created next generation learning programs in effect and several others that have been established by state board of education and state education agencies. At least 15 states have created new programs since 2016.

This expansion signals growing consensus that next generation learning requires change. States must address policy to achieve personalized approaches or allow schools and districts to transition to mastery-based education.

But the goal of pilot programs, innovation initiatives and waivers must be bigger and bolder than the implementation of effective programs. Ultimately, every LEA and school must have the flexibility and support to meet the needs of each student they serve.

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For this to happen, state policymakers will need to work together on processes that allow lessons learned at the local level to be shared and analyzed to inform future policy. In doing so, they should consider the following questions.

- **Are next generation learning programs in our state producing the desired outcomes?**

- **What impact is flexibility from state laws and regulations having on the work schools and districts are doing to implement and improve their innovation plans?**

- **Are there other barriers state leaders can remove or problems they can help solve?**

With this information in hand alongside the resources and state examples provided in this report, policymakers will be better positioned to create programs and systems that meet the needs of every student.

Research Scan Overview

This research scan overview reflects data and information gathered during a spring 2019 review of state next generation learning programs in all 50 states and Washington, D.C. Distinctions are made between programs that are codified (statutory) and those that are not (non-statutory). We also distinguish between general innovation programs in statute and pilot programs in statute.

There is wide variation in the opportunities for and benefits of participation in these statutory and non-statutory programs—access to grant funding, approval of flexibility requests and collaboration with other participants in a network to name a few. In instances where the purpose of a program is to support school improvement or to reward good performance with flexibility, we try to note the degree to which the program's flexibility provisions can be used to advance next generation learning even though a participant is not required to do so.

- **General innovation programs** are ongoing or open-ended efforts. Even if the number of participants may be limited or subject to incremental increases, the intent is to create a "permanent" pathway for schools and local education agencies (LEAs) to seek out and utilize flexibility from state laws and regulations and other support for the implementation of next generation learning opportunities. See Column 2.

- We consider **pilot programs** to be any small-scale (i.e., cap on participation), time-limited effort that is used to prove the viability of a model or approach. To be considered a pilot in this report, the program must provide some parameters on the types of models or approaches that will qualify for pilot participation, such as mastery-based education pilots. See Column 3.

- Many **non-statutory programs** have a next generation learning focus that made them appropriate for inclusion in this report. These include programs that are established through state board regulations or state commissioner initiatives in the absence of legislative mandate. See Column 4.

- The final category of programs in the table, below, are those that have **expired, been terminated or are currently inactive**. See Column 5.

There is wide variation in the opportunities for and benefits of participation in these statutory and non-statutory programs—access to grant funding, approval of flexibility requests and collaboration with other participants in a network to name a few. Because spotlighting state efforts requires us to draw some bright lines, we categorize state programs as general innovation programs if they do not have a narrowly-defined next generation learning focus, instead giving participants broad discretion to use waivers or exemptions from state law and regulation in ways that policymakers hope will result in new or creative alternative to the existing instructional and administrative practices. In instances where the purpose of a program is to support school improvement or to reward good performance with flexibility, we try to note the degree to which the program's flexibility provisions can be used to advance next generation learning even though a participant is not required to do so.

Next Generation Learning Programs in the U.S.

State	Statutory Innovation Program	Statutory Pilot Program	Non-Statutory Innovation or Pilot Program	Expired/Terminated Innovation or Pilot Program
Alabama	Innovative School Systems and Schools			
Alaska				
Arizona				
Arkansas	Districts of Innovation		Opportunity Culture Pilot[1]	
California				
Colorado	Innovation Schools	High School Innovative Learning Pilot Program		
Connecticut	Innovation Schools[2]			
Delaware				
Florida	District Innovation School of Technology Program Principal Autonomy Program[3]	Competency-Based Education Pilot Program		
Georgia	Georgia Innovation Fund[4]			
Hawaii				
Idaho	Local Innovation School	Mastery-Based Education		
Illinois		Competency-Based High School Graduation Requirements Pilot Program		
Indiana	Innovation Network Schools Continuous Improvement School Districts Freeway School Corporation and Freeway School Program Performance Qualified School Districts and High Schools[5]			Career Pathways Pilot Program[6]
Iowa				Innovation Zone Schools[7] Competency-Based Education Grant Program[8]
Kansas			Kansas Can School Redesign Project	Coalition of Innovative Districts[9]
Kentucky	Districts of Innovation			

Next Generation Learning Programs in the U.S.

State	Statutory Innovation Program	Statutory Pilot Program	Non-Statutory Innovation or Pilot Program	Expired/Terminated Innovation or Pilot Program
Louisiana				
Maine	Innovative, Autonomous Public Schools - Innovative Public School Zones - Innovative Public School Districts			
Maryland				
Massachusetts		Innovation Schools		
Michigan		Competency-Based Education Pilot Grant		
Minnesota	Innovation Research Zones Pilot Program	Minnesota Experimental and Flexible School Year Programs Pilot		
Mississippi	Districts of Innovation			
Missouri				
Montana	Transformational Learning Programs[10]			
Nebraska	Innovation Grant Program[11]			
Nevada		Competency-Based Education Network		
New Hampshire			New Hampshire Performance Assessment of Competency Education	
New Jersey				
New Mexico				
New York				
North Carolina	Innovative School District/ Innovation Zones[12]		Opportunity Culture Pilot[13]	
North Dakota	Innovative Education Program			
Ohio	Innovative Education Pilot Program[14]			Competency-Based Education Pilot[15]

Next Generation Learning Programs in the U.S.

State	Statutory Innovation Program	Statutory Pilot Program	Non-Statutory Innovation or Pilot Program	Expired/Terminated Innovation or Pilot Program
Oklahoma	School District Empowerment Program			
Oregon				Credit for Proficiency Pilot[16]
Pennsylvania				Personalized Learning Grants[17]
Rhode Island	Empowerment Schools			
South Carolina	Schools of Choice		Innovative Approaches and Locally Designed Subject Area Courses Proficiency-Based Systems	
South Dakota				
Tennessee			Competency-Based Education Pilot	
Texas	Districts of Innovation			
Utah		Competency-Based Education Grants Program		
Vermont				
Virginia	School Divisions of Innovation			
Washington				Innovation Schools [18]
West Virginia	Innovation in Education	Innovation in Education - Mastery-Based Schools		
Wisconsin			Districts of Innovation	
Wyoming	Wyoming Trust Fund for Innovation Education[19]			
District of Columbia			Design Lab	

Endnotes to Next Generation Learning Programs in the U.S. Table

1   Opportunity Culture is an initiative of Public Impact. Further information is available at www.opportunityculture.org.

2   These schools are limited to priority school districts only.

3   Very limited application. To participate, a school district must identify three schools that have received at least two school grades of "D" or "F" during the previous three school years and identify three principals who have earned a highly effective rating on the prior year's performance evaluation.

4   The Georgia Innovation Fund is authorized under Georgia Code 20-14-26 [Part 2. Office of Student Achievement]. Pursuant to this Code section, the office may establish a nonprofit corporation to be designated as the Public Education Innovation Fund Foundation to promote public-private partnerships between businesses, nonprofit organizations, institutions of higher education, local school systems and public schools for the purpose of improving student achievement. The Foundation is authorized to receive donations from taxpayers for the purpose of awarding grants to public schools for the implementation of academic and organizational innovations to improve student achievement—with priority given to schools that have performed in the lowest 5 percent of schools in this state identified in accordance with the statewide accountability system established in the state plan pursuant to the federal Every Student Succeeds Act, and for the dissemination of information regarding successful innovations to other public schools in this state. Funds received by the Foundation for this purpose may be awarded through a competitive grant process administered by the office.

5   Performance Qualified School Districts and High Schools in Indiana are limited to the highest performance category schools and school corporations.

6   The Indiana Career Pathways Pilot Program was limited to schools that participate in the Innovation Network Schools program. The statute specifies this program expired on July 1, 2018.

7   Innovation Zone Schools in Iowa is now inactive.

8   The Competency-Based Education Grant Program in Iowa is repealed on July 1, 2019.

9   The state agency website for Kansas' Coalition of Innovation Districts states: "This website has expired on 3/27/2019 - pending renewal or deletion."

10   As it is currently defined in statute, the participants only have three years to participate in the program and receive funding.

11   The Innovation Grant Program in Nebraska is a competitive grant program.

12   The Innovation School Districts and Innovation Zones in North Carolina are limited to low-performing schools only.

13   Opportunity Culture is an initiative of Public Impact. Further information is available at www.opportunityculture.org.

14   The Innovative Education Pilot Program is intended to encourage innovative practice and is a general innovation program.

15   The statute for the Competency-Based Education Pilot specifies this program is in effect through the 2018-2019 school year.

16   In 2004, the Oregon Department of Education began a two-year pilot project with seven LEAs selected to implement the Credit for Proficiency policy (which allowed LEAs to give students the opportunity to earn graduation credits based on competency instead of the Carnegie Unit).

17   This state agency initiative in Pennsylvania is a non-statutory grant program. According to the Pennsylvania Department of Education website, the funding for this program ended in 2017.

18   Washington's program provides participants with recognition only for their use of next generation learning strategies or other innovative strategies. However, there is no mechanism by which participants can request flexibility. The state education agency website notes that this program had been suspended for the 2016-2017 school year in order to ensure alignment with the federal Every Student Succeeds Act.

19   The Wyoming Trust Fund for Innovation Education is a grant program.