

Michigan Education Reform Committee
Innovative District Testimony
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6-4-19

I've been fortunate over my career to work in several distinctly different districts ranging from Oakland County, to Downriver, to rural Monroe County, to Adrian, and now in Dexter just outside of Ann Arbor. Over the years, it has been a pleasure working with innovative educators who will continue to work within the current limitations of our regulations, laws, and administrative rules to try to improve education for kids. However, true innovation requires the "space" to innovate. After reading HB 4626 & 4627, I am excited by the possibilities the Innovative District legislation creates.

Creating a new model for schooling requires providing the opportunities to work outside of established norms, rules, laws, and regulations. In order to innovate, "space" must be created that allows for innovation. HB 4626 & 4627 aim to create that "space for innovation."

Schools have not significantly changed in over a century. Actually, over my career, it feels as if we've regressed in our ability (as a complete system) to change. Standardization sounds great but realities of standardization are both hypocritical for education and stifle innovation.

Our school systems are designed to be 180 days between September and June (or we can spread around those 180 days into a year-round model). Regardless, we have a system designed to provide every kid the same experience with the same high-expectations regardless of what we know about kids and learning. For example, we expect all 9th graders to take similar coursework and to perform "at grade level" in subjects like math and English. However, I want you to consider this example to see the flaws in our design. We could walk down the halls of any high school in the world and pick out two 9th grade boys. One who is 6' tall and 180 lbs. Another who is 5'4" tall and 110 lbs. In no rational world would we ever expect those two boys to be able to lift exactly the same amount of weight in a PE class by the end of the school year. However, when they are in a math class, we not only expect them to perform equally well in their freshmen math course but we expect it to happen by June 14th. We do this because that's the system we've designed regardless of what we know about how kids develop. When all is said and done, the 5'4" 110 lb student will likely grow and will, at some point, likely be able to lift as much weight as the 6' tall 180 lb peer but it may take

more time. Yet, we put them in a mass-production system that only allows them to perform when we're in "session" and we create laws, regulations, and rules that don't allow schools to design themselves to meet the needs of all kids at the time it makes sense for that child.

HB 4626 & 4627 are the first pieces of legislation that I truly believe (with some tweaks) could provide the opportunities to truly innovate in schools on behalf of kids. In reading the legislation, I immediately thought of opportunities this legislation could provide that are not allowable, practical, or scalable under the current system.

For example, the best time to build houses is over the summer. Yet, we can't count or enroll kids in a construction trades class for June, July, and August without significant changes in the system. How great would it be for kids if schools could design programs like this where a group of kids could work on a building site in June, July, and August and be considered greater than 1.0 fte that year but then be a reduced fte in another year while they wrap up graduation requirements when there's snow on the ground and maybe move on past graduation early without the school being penalized for not being able to count them in February?

In my previous district, we had an amazing relationship with the Boys and Girls Club of Lenawee. Students could attend the club during the school year from 3-8 p.m. and all summer during the day for \$3 per year. The club was housed in one of our schools and located in the middle of the city. We were fortunate one year to have a donor who paid to run a summer program with those kids (around 170 per day) where the students wrote a play, built a set, learned the music for the play, and conducted a full performance in just over a week. These were students between ages 8-18 who would have never had this opportunity otherwise. When I read HB 4626 & 4627 and imagine a few additions to the bills, I can only dream of scaling opportunities like this to kids to learn so much more than what we can do without the "space" this bill provides for innovation.

My current district, Dexter Community Schools, offers a track for students and parents that is personalized, and competency-based. This program is currently offered in grades 5-8. Students can work at their own pace and dig deep into projects. Some are deeply intertwined into our community. We have worked with partners to create a very unique educational experience where kids can learn content at their own pace while also exploring their passions. Between September and June, we allow the kids to work at their own pace. Our data shows that we're achieving 240% growth in reading over the school year...then June comes and we stop. We stop because that's the way the system is designed. We then have teachers volunteer their time with these same kids in

a non-structured system to run our summer bee-keeping club where our 11- and 12-year old students are caring for upwards of 50,000 bees on our property. We have ample opportunities for the learning to continue but the design of the system doesn't allow us to create a new model that can truly harness the power of site and reaching kids when they're ready and passionate about their learning.

Every year, we have an alarming number of kids suffering from depression and anxiety. I cannot even begin to share the number of conversations about school work missed or trying to keep up that we have with families while students are in a day-treatment or a residential-treatment center. The added stress of trying to keep up and finish their work before the end of the school year is not a formula for developmental empathy that schools (and communities) should operate under for kids. In reading HB 4626 & 4627, I can picture opportunities for schools (or groups of schools) to create unique programming for students where they get the time to "reset" and the time to "catch up" when they're ready without schools trying to cram it into the 180-day structure that has time as the constant and learning as the variable.

The power of the Innovative District legislation is that we can create new models to help develop kids at their own pace and place. We can create models that can be replicated by other districts. We can create opportunities to innovate without negative consequences.

The most exciting parts of these bills are the statewide auditor who works solely with these districts, the ability to work outside the regular school year or day, and the ability to award credit based on competency rather than proof of meeting course standards or seat-time.

In order to make the bill stronger, I would recommend the following changes. Some of these recommendations will require work with the appropriations committee.

- The bill needs to provide funding, likely in the form of grants, to pilot innovative programs (MCL 388.1625i). This would include an alternative to count days and an alternative mechanism to quantify state aid for a district that is approved as an "innovative district." Alternative accountability measures should be determined for identified districts on a case-by-case basis.
- In order to fund the statewide auditor, at least 2 FTE worth of funding should be provided to fund the position(s) and to ensure that the position(s) are supported with stability over time to support innovative districts.
- MCL 388.1618 would need to be addressed to allow for auditing of an approved innovative district.

- Current language in MCL 388.1701(3)(h) would need to be adjusted to expand attendance waiver options to innovative districts and language in MCL 388.1701(9) would need to be modified to eliminate the yearly application requirement for waivers. In addition, the travel time waiver in MCL 388.1606(4)(q) would need to be extended to innovative programs.
- There's a current issue in school funding under Section 105c for out-of-county schools of choice students that needs to be addressed in order to create the full capacity of this bill. Specifically, in MCL 388.1705c(19), language would need to be added that supports funding transfer for special education students similar to what exists for Public School Academies.
- Under Definitions in the school code, MCL 380.4 Definitions; E to I, Section 4, a definition of Innovative District should likely be included. I would recommend the wording "(2) 'Innovative District' is a district or intermediate school district or public school academy approved to operate as an innovative district by the superintendent of public instruction."
- Under Section 380.1231 Hiring of teachers; teachers' contracts generally – I would add (6) Except as provided in subsections (5) and (6) the board of a school district that is an innovative district may employ or contract for, or both, qualified teachers and other qualified instructional personnel at a public school as necessary to carry out the purposes of the innovative district."
- The bill needs to allow Innovative Districts flexibility on the Michigan Merit Curriculum. The MMC has turned high schools into standards-based, prep schools. In order to move a high school into a true competency-based approach, the graduation requirements outlined in the MMC need to be more flexible. I would recommend adding to MCL 380.1278a the following: **"(7) A district operating as an innovative district may modify the Michigan Merit Curriculum graduation requirements consistent with Student Educational Development Plans as part of an approved application."**
- Under MCL 380.1606 (4)(m) – I would add the following bolded words "as defined in R 340.1702 of the Michigan Administrative Code **OR a student of an approved innovative district for a maximum of 2 years...**"
- Under MCL 388.1606 Additional definitions – I would add **"(III) A pupil enrolled in an innovative district and has not completed the high school graduation requirements within the standard 4 years and is less than 20 years of age on September 1 of the school year."** I would also add under (q) MCL 380.1279h, **"or a public enrolled in an innovative district,"** and where it says necessary travel time, **"or innovative district where travel time applies."** Furthermore under (6), add **"(P) A public enrolled in a district other than the pupil's district of residence who attends an innovative district"** and **"(Q) A pupil whose district of residence is an innovative district."**

- Under MCL 388.1618, Add language related to pupil accounting audits of innovative districts.
- A new section under MCL 388.1625i should be established for Payments to Innovative Districts. It should include money from the school aid fund appropriated to innovative district payments. For example, see next page for exact language.
- Section 388.1701 needs to be revised to include changes to section (h): (h) At the request of a district that operates a department-approved alternative education program and that does not provide instruction for pupils in all of grades K to 12, **OR AN INNOVATIVE DISTRICT**, the superintendent shall grant a waiver from the requirements of subdivision (f). ~~The waiver shall indicate that an eligible district is subject to the proration provisions of subdivision (f) only if the district does not have at least 50% of the district's membership in attendance on any day of pupil instruction.~~ In order to be eligible for this waiver, a district must maintain records to substantiate its compliance with the following requirements:
 - MCL 388.1705c – regarding Section 105c (19) the words ~~“in order for a district or intermediate district to enroll pursuant to this section”~~ should be eliminated.
 - New waiver authority should be granted under several sections:
 - Innovative districts may be allowed to make corrective action during the first year of an audit finding rather than having an immediate membership adjustment. Extended period of corrective action for audit findings for innovative districts. *[MCL 388.1618]*
 - Waive residency requirements – Allows innovative district students to enroll in a nonresident district without a release. *[MCL 388.1606(6)]*
 - Waive age requirements – Allows innovative district students to be counted in membership for additional years. *[MCL 388.1606(4)(l)]*
 - Alternatives to GED/diploma - returning students provided access to additional opportunities.
 - Alternate graduation requirements. *[MCL 380.1278a]*
 - Allow innovative districts to hire teachers through third-party providers. *[MCL 380.1231]*
- The legislation talks about alternative assessment systems. This will require work with the US Department of Education and ESSA requirements. I haven't been able to spend enough time analyzing the potential roadblocks but my experience with seeking alternative assessments tells me this area will need work to be clear what is intended. That being said, in order to move into a true competency-based approach, the assessment system needs to match. Any organizational theory expert can tell you that “what gets measured gets managed.” If the assessments aren't changed to represent a competency-based system, then a competency-based system will never survive.

- Lastly, I would allow part of a district to implement a competency-based model instead of requiring a full district implementation for acceptance. One lesson learned in the districts trying to do this work is that parents want choices. They want to choose how their children are educated. A district cannot survive if they just flip a switch to the entire district moving to a competency-based approach as part of an immediate waiver. It will take time and phasing in throughout areas of the district.

In conclusion, I see great potential from the Innovative District legislation. Education needs what Christensen, Horn, and Stalker (2013) refer to as “disruptive innovation.” In short, there are “two basic types of innovation – sustaining and disruptive – that follow different trajectories and lead to different results.”

- Sustaining innovations occur when existing organizations improve products or services in such a way as to better serve their best customers according to their initial definition of performance or “the way the market has historically defined what’s good.” This is what we’ve been trying to do in Michigan and it isn’t working.
- Disruptive innovations generally serve an area of non-consumption by offering a new definition of what is good. “Over time, they improve enough to intersect with the needs of more demanding customers, thereby transforming a sector.” This is what we need in education.

We often ask ourselves, is Dexter Community Schools a Mainframe Computer, a Desktop Computer, or a smart phone? If we want to create a new system of education, we need disruptive innovation. We don’t just need to move from the main frame to the desk top. We need to move from a main frame to a smart phone. We need to create a new definition of “what is good” and this should be based on competencies instead of standards assessed on a single test.

Thank you for your work on this important legislation and your concern for improving schools in Michigan. I’m excited to see this important piece of legislation have the possibility of coming to fruition aligning with the start of Dr. Rice as the new State Superintendent. Dr. Rice’s experience with pilots and innovation bring confidence to all of us that this type of innovation is possible throughout the state with the help of the legislature.

Language suggestion:

Sec. 25i.

(1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed \$100,000.00 each fiscal year for payments to innovative districts approved by the state superintendent for the purpose of funding costs related to the implementation of a department approved innovative program.

(2) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed \$5,000,000.00 each fiscal year for payments to innovative districts for the purpose of funding innovative pilot programs approved by the state superintendent. Funds received under this subsection may be used for added cost purposes. The department shall develop an application process and method of distribution.

(3) The total amount allocated to an innovative district under this section shall first be distributed as the lesser of an innovative district's added cost to operate the approved innovative pilot program or the department's approved per-pupil allocation for the innovative district. Any funds remaining after the first distribution shall be distributed by prorating on an equal per-pupil basis, not to exceed a district's added cost for the innovative program. However, the sum of the amounts received by an innovative district under this section shall not exceed the product of the innovative district's per-pupil allocation calculated under section 20 multiplied by the approved innovative pilot program headcount. For the purposes of this subsection:

(a) "Added cost" means 100% of the added cost each fiscal year for educating all pupils enrolled in an approved innovative pilot program. Added cost shall be computed by deducting all other revenue received under this article for pupils participating in an approved innovative pilot program from total costs, as approved by the department, in whole or in part, for educating those pupils in an approved innovative pilot program. The department shall include all costs including, but not limited to, educational costs, insurance, management fees, technology costs, legal fees, auditing fees, interest, pupil accounting costs, and any other administrative costs necessary to operate the program or to comply with statutory requirements. Costs reimbursed by federal funds are not included.

(b) "Department's approved per-pupil allocation" for an innovative district shall be determined by dividing the total amount allocated under this subsection for a fiscal year by the headcount for all pupils approved by the department to be funded under this subsection for that fiscal year for the innovative district.

(4) Special education pupils funded under section 53a shall not be funded under this section.

(5) If the funds allocated under this section are insufficient to fully fund the adjustments under subsection (3), payments under this section shall be prorated on an equal per-pupil basis.

(6) Payments to districts under this section shall be made according to the payment schedule under section 17b.

