

# Flexibility Opportunities for Schools and Corporations

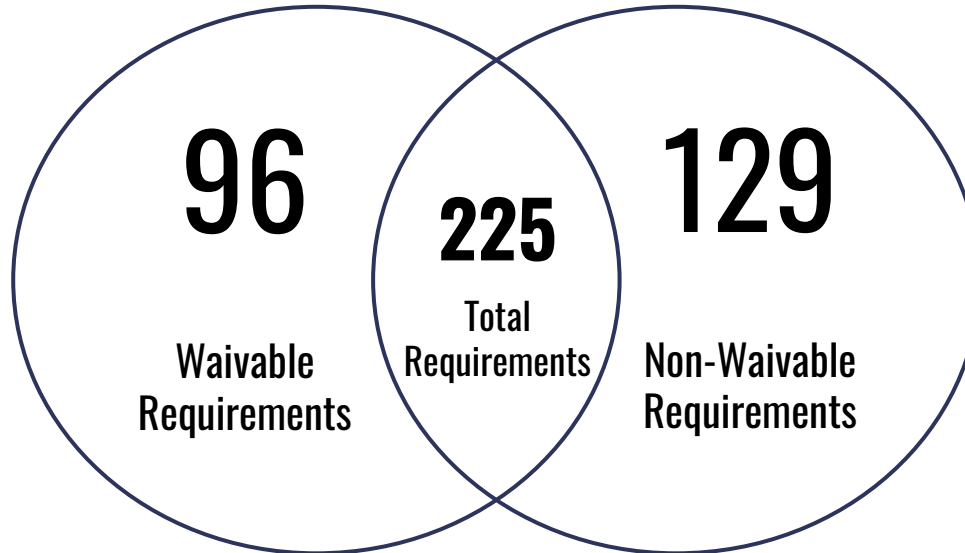
# 1003 FLEXIBILITY WAIVERS

## Summary (IC 20-31-4.1)

- Schools/groups of schools may request that the State Board of Education (SBOE) waives compliance with any provision in Title 20 or 511 IAC (unless on list of non-waivable provisions)
- Request must be tied to...
  1. Improvement of student performance & outcomes;
  2. Flexibility in administration of educational program/improvement of efficiency in school operations;
  3. Promotion of innovative educational approaches to student learning; or
  4. Advancement of the mission/purpose of the school/group of schools

# 1003 FLEXIBILITY WAIVERS

*About 43% of non-conditional mandates are eligible for a “1003” waiver.*



# 1003 FLEXIBILITY WAIVERS

The purpose of this waiver is to transform the educational experience.



What specific goals or outcomes will be achieved by waiving the provision?

- enhance student learning opportunities?
- promote innovation?
- increase equitable access to effective teachers?

How will data and benchmarks be used to measure and monitor student performance outcomes?

# 1003 FLEXIBILITY WAIVERS

## Process

- **January – May:** Submit waiver application
- **March – June:** IDOE reviews and provides recommendation to SBOE
- **April – July :** SBOE makes final determination
  
- SBOE periodically reviews compliance with waivers and may amend, suspend, or revoke an approved waiver if goals are not met.

# 1003 FLEXIBILITY WAIVERS

## Requirements

- Identify provisions being requested to waive.
- Provide the specific goal/outcome intended to be achieved by waiving the provision/s.
- Provide how the specific goal/outcome is likely to be achieved by waiving the provision/s including evidence of capacity to implement or partnerships with outside experts.
- Present leading and lagging indicators that will be used to measure achievement of specific goal/outcome.
- Pass a resolution from the school's governing body approving the waiver request.

# 1003 FLEXIBILITY WAIVERS

## Submission Form Contents

### Requestor Information

Requestor Name	Jim Roberts
Requestor Email	robertsj@bcsc.k12.in.us
Corporation ID #	0365 - Bartholomew Con School Corp
School	CORP - Corporation Request

Is this request submitted on behalf of a group of school corporations?



If yes, please list the IDOE Corporation IDs (Example: 1234,5678,4321)

5380,0365

# 1003 FLEXIBILITY WAIVERS

## Submission Form Contents

Reason/s for Flexibility Request:

- To improve student performance outcomes
- To offer flexibility in the administration of education programs or to improve efficiency of school operations
- To promote innovative education approaches to student learning
- To advance the mission and purpose of the school or group or schools



# 1003 FLEXIBILITY WAIVERS-EXAMPLE APPLICATION

<b>Specific state statute or regulation (including specific components) for which the corporation is seeking exemption</b>	<b>Rationale for why the innovative proposal requires these exemptions</b>
<p>Example:</p> <p>IC 20-30-2-1: As used in this chapter, “instructional time” is time during which students are participating in: an approved course, a curriculum, or an educationally related activity under the direction of a teacher, including a reasonable amount of passing time between classes. Instructional time does not include recess.</p> <p>IC 20-30-2-2: Sec. 2. (a) A student instructional day in grades 1 through 6 consists of at least five (5) hours of instructional time. Except as provided in subsection (b), (c), or (d), a student instructional day in grades 7 through 12 consists of at least six (6) hours of instructional time.</p>	<p>Example:</p> <p>An exemption of these statutes would allow junior and senior high school students to move beyond the physical location of the school building for formal coursework and pursuance of independent, self-directed projects. The credits could be awarded through an Independent Study, Internship or Cooperative Education course.</p> <p>Students would only be required to be “on campus” for part of the day before being released to pursue credit-eligible projects off campus. The flexibility created by the exemption would encourage students to creatively utilize community resources while receiving academic guidance from teacher advisors and course credit. The corporation would create their own check-in/check-out system for monitoring instructional time and project progress. The corporation would also create a schedule of advisory sessions for students participating in the off-campus program.</p>

## 1003 FLEXIBILITY WAIVERS-STATUTES GRANTED FLEXIBILITY

Statute	Granted Flexibility
IC 20-20-8	<ul style="list-style-type: none"><li>•Do not have to publish APR in the newspaper</li></ul>
IC 20-26-18	<ul style="list-style-type: none"><li>•Do not establish or publish a written policy to address criminal organizations &amp; activity in school</li><li>•Do not establish evidence-based educational criminal organization awareness for students, employees &amp; parents</li><li>•Do not develop program to provide training to employees on implementation of criminal organization policy</li><li>•Do not submit written report to DOE on activities undertaken by corporation</li></ul>
IC 20-30-2-2	<ul style="list-style-type: none"><li>•Allowed to have quarterly two-hour delays for professional development</li></ul>
IC 20-30-2-3	<ul style="list-style-type: none"><li>•Allowed to track instructional time in minutes instead of hours for school year</li></ul>

## 1003 FLEXIBILITY WAIVERS-STATUTES DENIED FLEXIBILITY

Statute	Denied Flexibility
IC 20-19-9-1	•Waive definition of “virtual program”
IC 20-19-9-4	•Waive requirements for establishing a virtual school
IC 20-20-40-13	•Waive requirements of seclusion & restraint plan and training
IC 20-26-5-34.2	•Waive requirements for bullying training
IC 20-26-5-34.4	•Waive requirements for child suicide awareness & prevention policy
IC 20-26-16-4	•Waive requirements for school corporation police department training

## 1003 FLEXIBILITY WAIVERS-STATUTES DENIED FLEXIBILITY

Statute/Reg	Denied Flexibility
IC 20-30-2-1	•Waive definition of “instructional time”
IC 20-32-8.5	•Waive IREAD-3 assessment administration
IC 20-33-2-3.2	•Waive definition of “attend”
IC 20-33-2-14	•Waive attendance/absence requirements in light of COVID-19
IC 20-36	•Waive use of DOE’s preferred general intellectual testing for high ability identification & use NWEA/locally developed assessments
511 IAC 6.2-3-1	•Waive IREAD-3 assessment administration

# 1003 FLEXIBILITY WAIVERS

## Common Mistakes and Application Deficiencies

- General goals and insufficient rationale
- Request is not aligned to transforming the educational experience for students
- Board resolution lacks specific details that provide transparency
- Provision is unwaivable

# Questions?

[schoolimprovement@doe.in.gov](mailto:schoolimprovement@doe.in.gov)

 @EducateIN

## REFERENCES

- [INnovate Flexibility Guide for Indiana Schools](#)
- [Indiana Code Title 20 \(2022\)](#)
- [Flexibility Waiver Guidance Memo \(2022\)](#)
- [Guidance on Instructional Time for Schools](#)



***THANK YOU!***