

# 1003 Flexibility Waivers

# OBJECTIVE

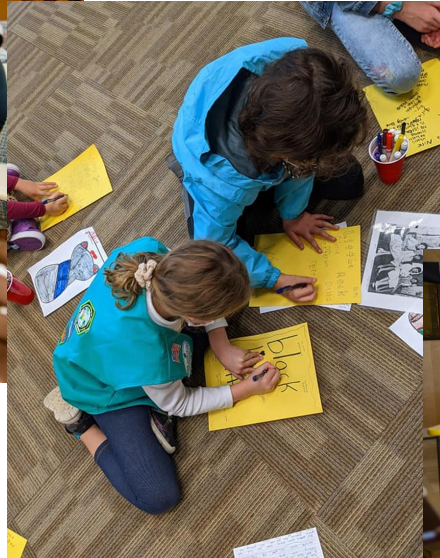
Participants will...

- Develop a clear understanding of why 1003 Flexibility Waivers can transformation schools
- Develop a clear vision of the purpose and process

# 5 W's to 1003 Flexibility Waivers

# WHO IS ELIGIBLE?

All schools in Indiana are eligible to apply for a 1003 Flexibility Waiver



# WHAT IS A 1003 FLEXIBILITY WAIVER?

## 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

# WHERE DO I APPLY?

Information regarding  
1003 Flexibility  
Waivers is located in  
Dr. Jenner's weekly  
newsletter

## REMINDER: Annual 1003 Flexibility Waivers

IDOE's Office of School Support and Transformation is now [accepting applications](#) for 1003 flexibility waivers. Flexibility through waivers is offered to help support schools in their design efforts to improve student performance and outcomes, help to improve efficiency of school operations, and to help promote innovative educational approaches to student learning. Interested officials can read more about the opportunity in [this memo](#) and in the [Flexibility Guide for Indiana's K-12 Schools](#) document. Applications are now open and will be accepted on a rolling basis through Friday, June 2.

Applications will be reviewed in three rounds:

	Review period	Request for information timeline	Recommendation sent to the State Board of Education
Round One	Friday, February 10 through Friday, March 17	Monday, March 13, through Wednesday, March 29	May
Round Two	Monday, March 20, through Friday, April 28	Monday, April 24, through Wednesday, May 10	June
Round Three	Monday, May 1, through Friday, June 2	Tuesday, May 30, through Wednesday, June 14	July

# WHEN DO I GET APPROVED BY SBOE?

Applications will be reviewed in three rounds:

	<b>Review Period</b>	<b>Request for information timeline</b>	<b>Recommendation sent to SBOE meeting</b>
<b>Round 1</b>	2/10/23 - 3/17/23	3/13/23 - 3/29/23	May
<b>Round 2</b>	3/20/23 - 4/28/23	4/24/23 - 5/10/23	June
<b>Round 3</b>	5/1/23 - 6/2/23	5/30/23 - 6/14/23	July

\*SBOE periodically reviews compliance with waivers and may amend, suspend, or revoke an approved waiver if goals are not met.

# WHY DO WE HAVE 1003 FLEXIBILITY WAIVERS?

Began in the 2020-2021 school year, 1003 Flexibility Waivers broaden access to local education leader's to innovate

- It is an incentive for innovation
- Each application is unique to the school and community



# 1003 FLEXIBILITY REQUIREMENTS

1. Identify the provision that you want to waive
2. Provide specific goal/outcomes intended to be achieved
3. Explain how this specific goal/outcomes are likely to be achieved by waiving compliance with the provision identified in the application
4. Include data or performance benchmarks used to measure the specific goal/outcomes
5. Finally a Board resolution that approves the submission of your application

# 1003 FLEXIBILITY WAIVERS-EXAMPLE APPLICATION

Specific state statute or regulation for which the corporation is seeking exemption	Rationale for why the innovative proposal requires these exemptions
<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 REQUIREMENTS

## Identify provisions being requested to waive

- Confirm the provision is eligible to be waived (IC 20-31-4.1-7)
- Confirm that flexibility is needed to achieve proposed plan and outcomes
- Confirm that the provision requested to be waived will provide the required flexibility to accomplish the proposed plan

### Specific state statute or regulation for which the corporation is seeking exemption

#### Example:

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.

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# 1003 FLEXIBILITY REQUIREMENTS...

Provide specific goal/outcome intended to be achieved by waiving the provision/s

- Increase student engagement and persistence as measured by regular school attendance and graduation rate.
- Increase college and career readiness as measured by the number of students participating in high quality work-based learning.

Data benchmarks and metrics used to measure achievement of specific goal/outcome

- Increase student attendance above 95% in grades 11 and 12.
- Increase graduation rate by 2026 to 95%, with over 50% of grads participating in work-based learning.

# 1003 FLEXIBILITY REQUIREMENTS

Explain how this specific goal/outcomes are likely to be achieved by waiving compliance with the provision identified in the application

- Should outline what the school intends to do
- Should include student outcomes

## Rationale for why the innovative proposal requires these exemptions

### Example:

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.

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.

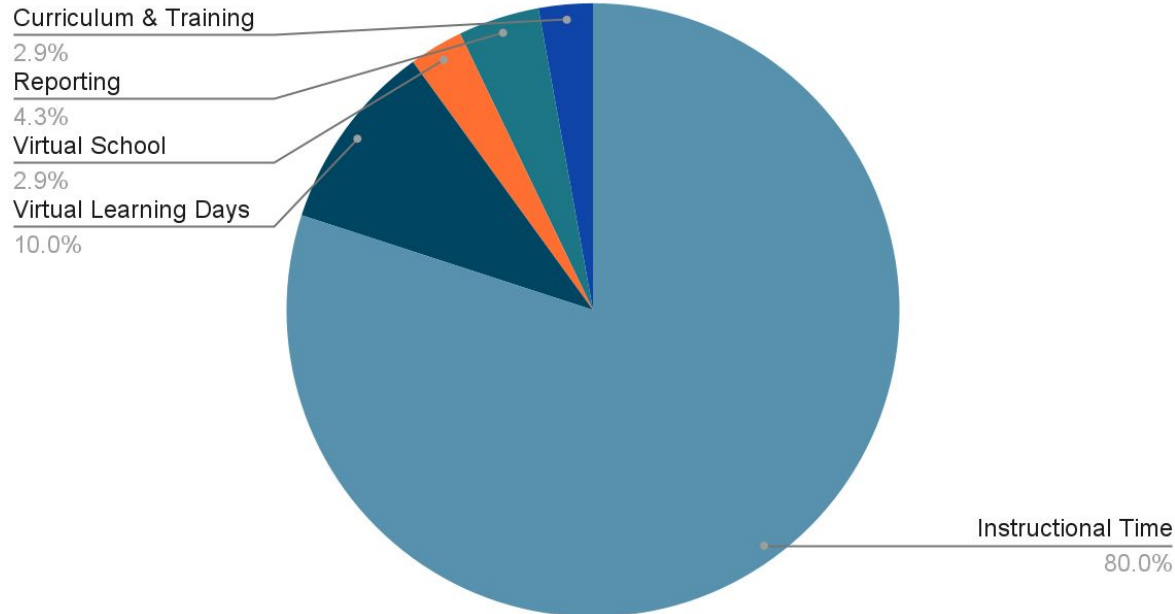
# 1003 FLEXIBILITY REQUIREMENTS...

Resolution from governing body approving waiver request.

- Must provide approved resolution and meeting minutes dated prior to submission of 1003 flex waiver
- The resolution must include the specific provisions that are being requested to be waived

# WAIVERS REQUESTED LAST YEAR

## 22-23SY Waivers



# 1003 FLEXIBILITY WAIVERS-EXAMPLE APPLICATION

Specific state statute or regulation for which the corporation is seeking exemption	Rationale for why the innovative proposal requires these exemptions
<p>Example:</p> <p>IC 20-20-8 - Requirements associated with the School Corporation Annual Performance Report.</p> <ul style="list-style-type: none"><li>- Requirement to publish the report or summary one (1) time annually under IC 5-3-1.</li><li>- Required components of APR</li></ul>	<p>Example:</p> <p>To create operational efficiency and drive more resources into the classroom, school corporation requests flexibility from the requirements outlined in IC 20-20-8, including the required components of the APR, the requirement to publish in accordance with IC 5-3-1, and requirement to provide the report to the IDOE.</p> <p>In lieu of this requirement, the school corporation will publish a link to the IDOE Indiana GPS dashboard for the school corporation on its website, and for each school on its respective websites to promote transparency around student success. Moreover, the school corporation will adopt annual goals aligned with each of the benchmarked indicators on Indiana GPS, further committing to strengthening education opportunities for students in our community.</p>



# A NOTE ON INSTRUCTIONAL TIME

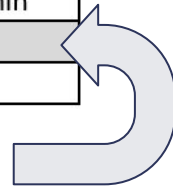
**Question:** Can schools with a 1003 flexibility waiver to count minutes instead of days use that flexibility to avoid having to make up canceled days due to snow or other unexpected cancellation?

**Answer: NO.** Schools with a 1003 flexibility waiver receive flexibility pursuant to the plan submitted to and approved by the SBOE. The flexibility granted in the 1003 waiver is contingent on implementing the proposed plan with fidelity. It is not a blanket waiver to operate without any consideration for the commitments made in the approved application.

Example: School Corp A receives flexibility to count minutes instead of days in all elementary because they conduct early release weekly which would shorten the day to 4 hours (240 minutes), below the statutory minimum. The normal student school day is 7.5 hours (450 minutes). Without the waiver, one day per week would not count as an instructional day; however, the school calendar accumulates enough total minutes given the length of the other four days each week.

	Number of Days	Total Minutes
Full School Days (450 minutes)	4 Days/Week * 36 Week = 144 Full Days	144 * 450 min = 64,800
Half School Days (240 minutes)	1 Day/Week * 36 Week = 36 Half Days	36 * 240 min = 8,640 min
<b>Total Minutes</b>		<b>73,440 min</b>
Statutory Min Number of Minutes		64,800 min

As a part of their approved plan, this school corporation committed to conducting 73,440 min of instruction. In return, the SBOE provided them flexibility not to have to meet the minimum instructional day requirements.



# A NOTE ON INSTRUCTIONAL TIME... CONT'D

Specific state statute or regulation for which the corporation is seeking exemption	Rationale for why the innovative proposal requires these exemptions
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## COMMON MISTAKES TO AVOID...

- 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
- A waiver is not needed to achieve the plan outlined in the application (particularly for instructional time)

# Questions?

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



***THANK YOU!***