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Impact of Waivers: Background and Analysis Plan

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and the House Committee on Education

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Presentation Overview

- Overview of waiver history
- Review of BLR presentation
- Proposed approach and analysis plan
- Review of waivers in Act 1240 schools
 - Growth in waivers over time
 - Waivers by topic areas
 - Descriptions of waivers by topic area
 - Change in topic areas over time
 - Aggregated categories- instructional and resource use
- Next steps

Overview of Waiver History

- Since 1995, charters have been allowed to apply for waivers
 - Conversion charters (1995), Open-enrollment charters (1999)
- With Act 1240 in 2015, districts could apply for any waiver that a charter within their district had
- Act 815 (2019) revised this to allow districts to apply for any waiver that a charter within the state has (not limited to own district)

Review of BLR presentation

- In February, BLR presented a detailed detailed analysis of waivers
 - Examined growth in waivers over time (2013- 2020) for:
 - Conversion Charters
 - Open-Enrollment Charters
 - Schools of Innovation
 - Act 1240
 - Compared schools with waivers for at least two years to those without waivers
 - Demographics, performance, expenditures

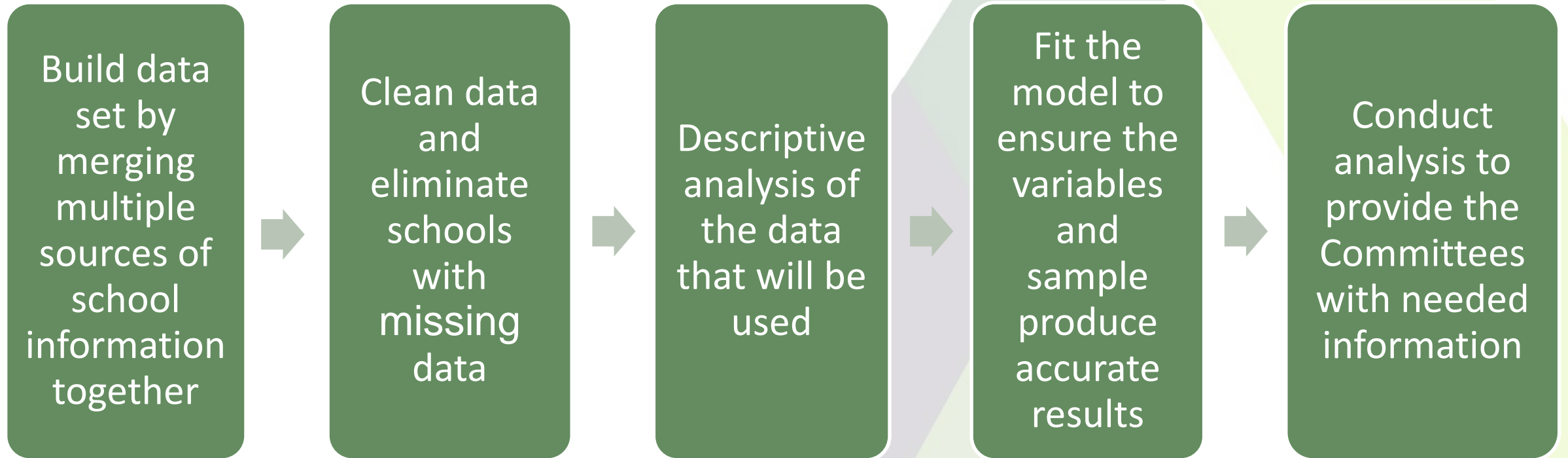
APA's Approach

- To build upon BLR's work and not duplicate it, APA proposes:
 - Focusing on impact of waivers on Act 1240 schools
 - Excluding Conversion Charters and Open-Enrollment Charters
 - Examining the areas that schools receive waivers in, not individual waivers
 - Examining waiver areas individually, as well as aggregated into instructional and resource use categories
 - Excluding waivers for schedule changes
 - Analyzing impact of waivers over time

Analysis Plan

- To determine the impact of waivers in Act 1240 schools, APA will:
 - Analyze available waiver, demographic performance, and expenditure data from 2015-2019 using a linear regression model
 - Compare the changes in performance outcomes and expenditure levels before (2015-16) and after (2018-19) the implementation of the waiver between schools that have a waiver and those that do not (by individual area or aggregated category)
 - Control for available school characteristics such as:
 - Student need (percentage of students eligible for free and reduced lunch, in special education or are English Learners)
 - School size
 - Grade-level
 - Performance level prior to receiving the waiver

Analysis Process

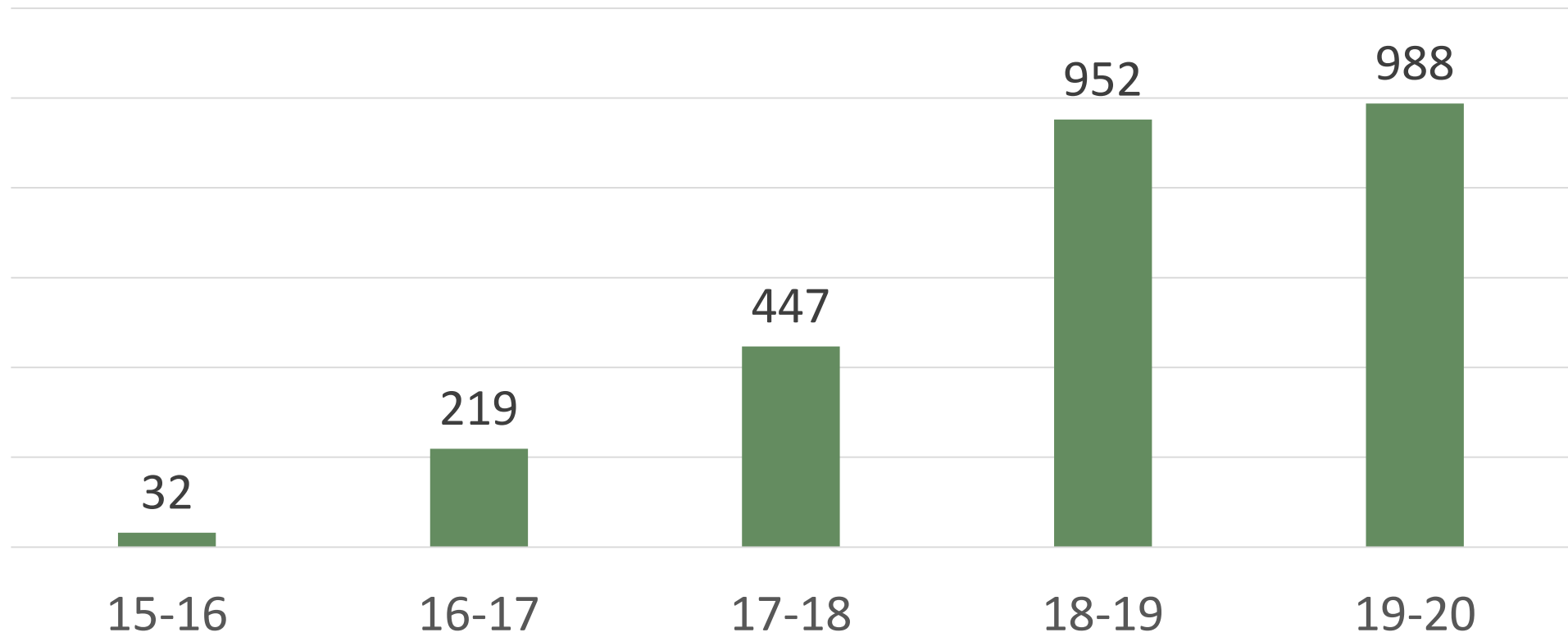


Why Focusing on Act 1240 Schools?

- Includes majority of schools
 - In 2019-20, 94 percent of all schools in the state had a waiver through Act 1240
- Since waivers have only been granted since 2015, the study team can evaluate the impact of waivers over time
 - Have available waiver, performance and expenditure data for this period
 - Allows for comparison between “treatment” and control group (with waivers vs. without waivers in specific areas and aggregated categories)
 - Conversion Charters and Open-Enrollment Charters have been allowed waivers since 1995, no ability to examine impact (before and after) based upon available data

Growth in Waivers for Act 1240 Schools

Act 1240 Waivers, Number of Schools



Why Waiver Areas vs. Individual Waivers?

- A waiver is granted for each ADE Standard, Statute or Accreditation Rule individually (and occasionally for subcomponents therein)
 - However, there are multiple individual waivers that overlap and address the same issue (topic area), as categorized by ADE
 - For example, there are a number of standards, statutes and rules that require a certified teacher. Therefore, a school would receive multiple individual waivers to employ a non-certified teacher
- On average, Act 1240 schools had 5-10 individual waivers (decreasing in the average number of waivers from 2015-16 to 2019-20), but these waivers were only in 2-3 topic areas

Chart: Individual Waivers in Each Topic Area, Part 1

Topic Area	Statute	ADE Rule	Accreditation Standard	Total Individual Waivers
Teacher Licensure	11	2	4	17
Library Media	7	-	5	12
Salaries/Compensation/Personnel Policies	7	1	3	11
Curriculum	1	-	9	10
Class Size and Teaching Load	1	1	6	8
Flexible Schedule	4	-	3	7
Alternative Learning Environment	3	1	2	6
Personnel Policies	6	-	-	6
Board of Directors	4	-	-	4
Guidance and Counseling	1	-	3	4
Principal	1	-	3	4

Chart: Individual Waivers in Each Topic Area, Part 2

Topic Area	Statute	ADE Rule	Accreditation Standard	Total Individual Waivers
Attendance	2	1	-	3
Grading Scale	1	1	1	3
Advanced Placement	1	1	-	2
Credit Hours	-	-	2	2
Student Services	1	1	-	2
Superintendent	2	-	-	2
Achievement Gap Task Force	1	-	-	1
College Credit	1	-	-	1
Duty-Free Lunch	-	-	1	1
Facilities	-	-	1	1
Planning Periods	1	-	-	1

Waivers by Topic Area

- In 2019-20, at least 5% of schools with Act 1240 waivers had waivers in the following topic areas:
 - Flexible Schedule (99%)
 - Teacher Licensure (26%)
 - Attendance (14%)
 - Library Media (10%)
 - Credit Hours (9%)
 - Class Size and Teaching Load (8%)
 - Salaries/Compensation/Personnel Policies (8%)
- Following slides will describe each of these waiver topic areas and related individual waivers that a 1240 school has received
 - Note, these include individual waivers that a 1240 school has received and is not exhaustive of all related standards, rules and statutes that are possible

Description of Flexible Schedule Waivers

- Waivers in this area are related to having a different school calendar or schedule
- Individual waivers include:
 - Start and end date for school year
 - School day hours
 - Definitions, rules and requirements for “planned instructional time”

Description of Teacher Licensure Waivers

- Waivers in this area are primarily related to having a non-licensed teacher
- Individual waivers include:
 - Requirements to have a qualified or certified teacher
 - Definition of “qualified teacher”
 - Licensure rules and requirements
 - Certification to teacher subject or grade
 - Requirement to have 3 credit hours of Arkansas history to be licensed
 - Parental notice of non-licensed teacher

Description of Attendance Waivers

- Waivers in this area are for attendance requirements in 9-12 grade
- Individual waivers include:
 - Requirement that students in grades 9-12 have to schedule and attend a full school day (no less than 350 minutes of planned instructional time each day to graduate)
 - Attendance record and report requirements

Description of Library Media Waivers

- Waivers in this area are primarily related to having a certified library media specialist and associated rules around duties and required services for students
- Individual waivers include:
 - Requirements to have a certified library medial specialist
 - Minimum percentage of the library media specialist's time spent as an information specialist (no less than 1/3)
 - Duties that can be completed by a library media specialist vs. assistant
 - Class size for library instruction

Description of Credit Hour Waivers

- Waivers in this area are for the minimum of hours for unit of credit
- Individual waivers include:
 - Requirements for 120 “clock hours” for a unit of credit to be awarded unless the district awards units of credit based on subject matter competency
 - Requirement for a minimum average six-hour day or minimum thirty (30) hour week

Description of Class Size and Teaching Load Waivers

- Waivers in this area are related to class size and teaching load
- Individual waivers include:
 - Kindergarten class size (20:1, maximum of 22 with a half time aide)
 - Class size in grades 1-3 (23:1, maximum of 25)
 - Class size in grades 4-6 (25:1, maximum of 28)
 - In grades 7-12, a teacher shall not be assigned more than 150 students; an individual academic class shall not exceed 30 students (except in “exceptional cases” or for courses that “lend themselves to large group instruction”)
 - Compensation for teaching more than the maximum number of students permitted

Description of Salary/Compensation/ Personnel Policy Waivers

- Waivers in this area are related to staff salaries/compensation and personnel policies
- Individual waivers include:
 - School district requirements for personnel policies, salary schedules, minimum salaries, and documents posted to district websites
 - Minimum teacher compensation schedule requirements
 - Minimum sick leave
 - Minimum hourly rate for full-time classified employees and required annual increases
 - Paid breaks for certain employees
 - Requirements for required personnel policy committee
 - Who serves on committee, how teachers are elected to committee, organization and operation rules

Waivers by Topic Area, Over Time

- Looking at waivers by topic over time:
 - Largest increases in waivers have been related to flexible schedules, particularly since 2018-19
 - Fairly stable number of schools with waivers in most other topic areas over past three years

Table: Number of Act 1240 Schools with a Waiver in a Topic Area, Part 1

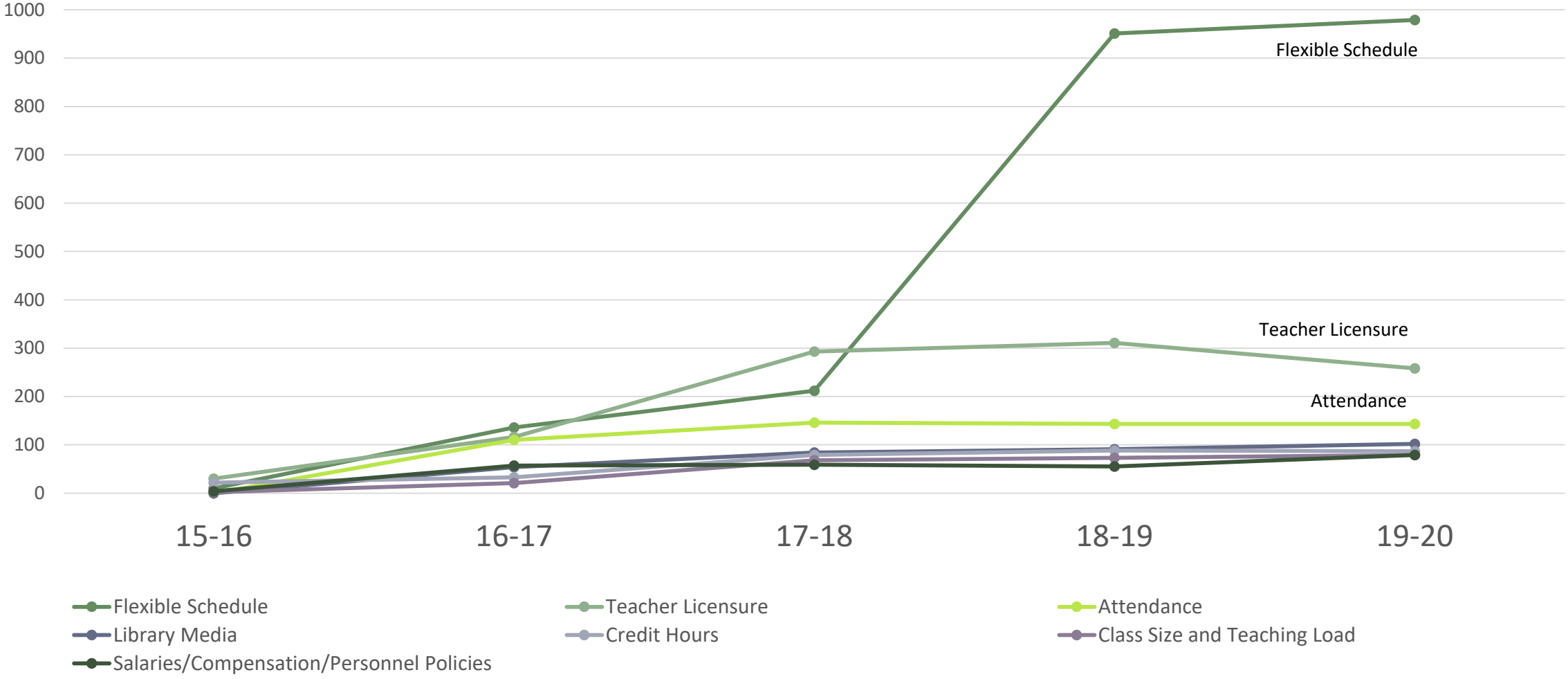
	15-16	16-17	17-18	18-19	19-20
Flexible Schedule	10	136	212	951	979
Teacher Licensure	30	116	293	311	258
Attendance	0	110	146	143	143
Library Media	0	54	84	91	102
Credit Hours	22	33	79	88	87
Class Size and Teaching Load	2	21	68	73	79
Salaries/Compensation/Personnel Policies	4	57	59	55	79
Grading Scale	13	23	29	27	28
Facilities	19	19	19	19	19
Principal	0	3	3	14	15
Total Schools	32	219	447	952	988

Table: Number of Act 1240 Schools with a Waiver in a Topic Area, Part 2

	15-16	16-17	17-18	18-19	19-20
Alternative Learning Environment	0	5	11	10	11
Planning Periods	0	8	12	11	11
Guidance and Counseling	0	5	9	8	10
College Credit	9	9	9	9	9
Curriculum	0	8	12	11	9
Duty-Free Lunch	0	6	6	5	5
Superintendent	0	3	3	2	5
Achievement Gap Task Force	0	3	5	4	4
Student Services IR	0	3	7	6	4
Advanced Placement	0	3	3	2	2
Board of Directors	0	3	3	2	2
Total Schools	32	219	447	952	988

Chart: Waivers by Topic Area, Over 5% of Act 1240 Schools (by 2019-20)

Number of Waivers by Area, Over Time



Aggregated Topic Areas: Waivers with Potential Impact on Instruction/Student Outcomes

- Teacher Licensure
- Attendance
- Library Media
- Credit Hours
- Class Size and Teaching Load
- Salaries/Compensation/Personnel Policies
- Principal
- Alternative Learning Environment
- Planning Periods
- Guidance and Counseling
- Curriculum
- Duty-Free Lunch
- Superintendent
- Achievement Gap Task Force
- Student Services
- Advanced Placement

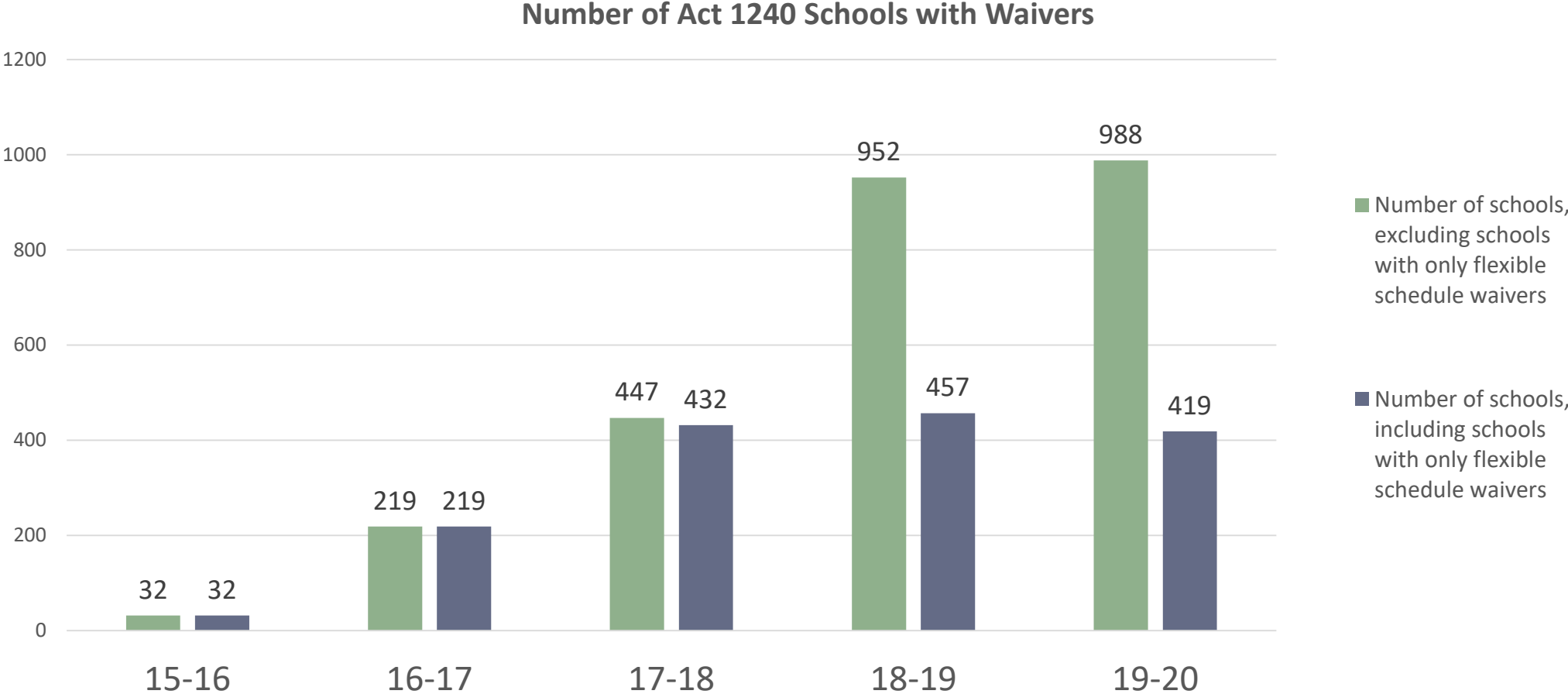
Aggregated Topic Areas: Waivers with Potential Impact on Resource Use/Expenditures

- Teacher Licensure
- Attendance
- Library Media
- Credit Hours
- Class Size and Teaching Load
- Salaries/Compensation/Personnel Policies
- Facilities
- Principal
- Alternative Learning Environment
- Planning Periods
- Guidance and Counseling
- Duty-Free Lunch
- Superintendent
- Student Services

Why Exclude Flexible Schedule Waivers?

- As shown in the prior slides, and noted in BLR presentation, nearly all Act 1240 schools (99% in 2019-20) have a waiver to allow for a flexible schedule
 - Specifically, a waiver for Statute A.C.A §§ 6-10-106, uniform dates for beginning and end of school year (to adjust start date to align fall semester with winter break)
- Since nearly universal, cannot compare the impact of those that have these waivers with those that do not
- Unlikely to have instructional or resource use impact

Chart: Change in Number of Act 1240 Schools Once Flexible Schedule Waivers are Excluded



Next Steps

- Feedback from Committees on waiver impact analysis plan
 - Any modifications?
 - Addressing areas of interest or concern with waivers?
- Presentation of impact analysis results in June



Questions?