Overview

In April 2013 the Massachusetts Board of Elementary and Secondary Education granted the Commissioner of Elementary and Secondary Education authority to approve waivers for innovative programs that are expecting to operate less than the hour and day requirements established in the Massachusetts Student Learning Time Regulations (603 CMR 27.00).

Under the regulations, school committees are required to schedule a school year that includes at least 185 days at each school, and must operate the schools for at least 180 school days in a school year. In addition, schools must ensure that students are scheduled to receive a minimum of 900 hours of structured learning time per school year for elementary school students and a minimum of 990 hours of structured learning time per school year for secondary school students. Kindergarten students must receive a minimum of 425 hours of structured learning time per school year.

Current Flexibilities under the Student Learning Time Regulations

The Student Learning Time Regulations are flexible and options such as independent study, structured contextual learning (e.g., work- or service-based learning), a competency-based program of study, credit recovery, and online coursework are allowable options to fulfill the structured learning time requirement. A waiver is not required to implement these opportunities as long as all courses and opportunities that are counting towards structured learning time must be approved by the district’s school committee and documented as legitimate options for students, and the total amount of student learning time is a minimum of 900/990 hours and 180 days. The structured learning time hours are not “seat time” hours – students learning may take place in a variety of settings. Students may be accelerated as necessary to meet their individual needs.

In addition, the regulations do not include hour requirements for specific content areas (e.g., there is not a minimum number of math instructional hours required by the regulations). Finally, the regulations allow for part-time students on a case-by-case basis.

For more information about the Student Learning Time Regulations, please see the associated Q&A.

About the Waiver Process

The intent of this waiver process is to enable innovative programs and schedules that will benefit students educationally and improve student learning. This waiver process is not intended for emergency cases or extraordinary circumstances (e.g., natural disaster) that force
the closing of one or more of the district's schools. The innovative programs under this waiver application should be focused on *addressing an unmet student need* in the district. Waivers may be granted for innovative schedules that focus on quality programming that is supported by a sound educational rationale and accountability for results. Waivers will be granted for a three-year time period, subject to annual review by the Department that indicates constructive results.

Programs approved for the waiver will be reviewed on an annual basis to determine whether they are providing a quality, innovative education for students that justifies maintaining the waiver. The annual review will include the district’s accountability plan (as outlined in question #12 in the waiver application) results, as well as additional data determined by the Department. The Department reserves the right to rescind a waiver application approval based on this review.

**2014-15 Waiver Process Timeline**

The following is the 2014-15 waiver process timeline, for implementation of approved programs starting in the 2015-16 school year.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 31, 2014</td>
<td>District deadline for submitting a non-binding letter of intent to apply that includes a short (less than one page) summary of proposed waiver request to <a href="mailto:redesign@doe.mass.edu">redesign@doe.mass.edu</a> (please include “SLT Waiver” in the subject line)</td>
</tr>
<tr>
<td>November 14, 2014</td>
<td>Department anticipates responding to letters of intent, indicating whether or not a waiver application is needed to implement proposed innovative programming</td>
</tr>
<tr>
<td>December 5, 2014*</td>
<td>District deadline for submission* of an <em>optional</em> draft waiver application to receive Department feedback</td>
</tr>
<tr>
<td>December 19, 2014*</td>
<td>Department anticipates providing feedback to districts that submitted draft waiver applications</td>
</tr>
<tr>
<td>January 30, 2015*</td>
<td>District deadline for submission* of final waiver application</td>
</tr>
<tr>
<td>March 6, 2015</td>
<td>Department anticipates providing waiver application authorization</td>
</tr>
</tbody>
</table>

*Note: In limited situations it may be appropriate to submit a waiver application outside of the timeframe described above. If your district is interested in requesting a waiver application for a new program in the 2014-15 school year that potentially does not meet Student Learning Time Regulations, please contact redesign@doe.mass.edu.*

*In the cases of extenuating circumstances, the Department will accept applications after the stated deadline for submission.*
*A complete waiver application (responding to questions 1-12 below) that includes a signed assurances page must be submitted in order to have the waiver application reviewed. Please submit an electronic version of the completed waiver applications to the Department’s Office of Charter Schools and School Redesign at: redesign@doe.mass.edu (please include “SLT Waiver” in the subject line). The signed assurances page may be either scanned and sent electronically or faxed to (781) 338-3220.
In a maximum of twelve (12) pages, please provide a response for each question below. Please note that the Accountability Plan does not count toward the maximum page limit.

1) **Need for Waiver.** Provide an overview of the reasons why the district is interested in receiving a student learning time waiver and the educational rationale for why the student learning time requirements cannot be met with the proposed programming.

2) **Mission Statement.** Provide a mission statement for the proposed innovative programming. The mission statement communicates the essence of the proposed program/school and defines the core purpose and key values of the programming to its stakeholders and the public. It should be succinct and meaningful and aligned with all of the responses in the waiver application.

3) **Enhancement of Current Educational Options.** Describe how this programming will enhance or expand educational options and how the innovative methods differ from the other options currently available in the district.

4) **Alignment with State and District Initiatives/Goals.** Describe how the proposed programming aligns to other state and district initiatives and goals.

5) **Research Basis.** Provide a description of the research basis of the proposed program, including links to relevant articles and websites.

6) **Student Population.** Provide a detailed description of the proposed students to be served by the innovative programming. Include in the response:
   a. Grade levels
   b. Student ages
c. Number of students per grade level to be served

d. Student population that your proposed program would serve and the needs of that population

e. How the educational option provided by the innovative programming will address the needs of the student population

f. Student enrollment criteria and process

7) **Student Schedule.** Provide the following information regarding the student schedule for the program:

   a. A sample *daily* student schedule for a typical student enrolled in the program.

   b. A *yearly* schedule for students enrolled in the program. Include the total number of hours and days for which students enrolled in the program will be scheduled over the course of a school year.

8) **Instruction methods.** Describe the pedagogy or instructional methods that will be used to deliver the curriculum model(s). Describe how these instructional methods support high standards of achievement and are accessible and appropriate for all students at all levels, including students with diverse learning styles, English language learners, special education students, students who enter below grade level, and other at risk students who should be targeted in order to eliminate the achievement gap. Stipulate the supervisory mechanisms and authorities that ensure program management can and will ensure implementation of the proposed curriculum and through the methods described in this application. Describe how the district will determine the professional development needs of the staff and deliver these opportunities.

9) **Promotion and Graduation Standards.** Provide the proposed policies and standards for promoting students to the next grade, achievement level, or grouping level. Provide examples of graduation or “exit standards” for the school’s grade groupings (e.g., elementary, middle, high school). These exit standards should offer a clear sense of what students will know and be able to do when they complete the last grade level of the proposed programming.

10) **Student Services.** Describe how the innovative programming will meet the diverse needs of the enrolled students. Include in the response a description of:

    a. How the district will provide students with disabilities and limited English proficiency access to the general education curriculum.

    b. How the district plans to deliver nutrition program services to students, including what meals and/or snacks will be served and when. Describe how you plan to administer the free and reduced lunch program. All public schools in the Commonwealth are required to make a school lunch available to students, including a free or reduced price lunch for students who meet income eligibility requirements. Regardless of a school’s participation in the National School Lunch Program, school lunches must be made available and under certain...
circumstances, breakfast as well. Indicate what role, if any, the district will have in delivery of the school’s nutritional program.

c. Any support services you expect to offer students and families, for example counseling, family outreach, and/or relationships with community organizations or service agencies. Any wrap-around services should indicate committed partners.

d. Describe if and how the enrolled students will access programs offered by the district, including arts or sports programs.

11) **Collective Bargaining Agreement.** Describe the implications of the proposed programming on the district’s collective bargaining agreement. Include in the description any steps, if any, that have already been taken to address any potential collective bargaining concerns.

12) **Accountability Plan.** Using the template below, provide an accountability plan that describes how the district will measure the quality of the implementation and outcomes of this innovative program. Describe the measures that will enable the program, district, and the Department to ensure enrolled students are making appropriate and satisfactory progress in mastering the content and attaining the other desired outcomes of the program. Districts that receive a waiver approval will submit progress on accountability plan objectives to the Department on an annual basis.

The Accountability Plan Template below is guidance for developing a strong accountability plan.

**Accountability Plan Template** (Add additional rows as needed)

<table>
<thead>
<tr>
<th>Key Objective #1:</th>
<th>Measure:</th>
<th>What is the intended result?</th>
<th>How will the result be measured?</th>
<th>Target date?</th>
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<tbody>
<tr>
<td></td>
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<td>Measure:</td>
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<td>Measure:</td>
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<table>
<thead>
<tr>
<th>Key Objective #2:</th>
<th>Measure:</th>
<th>What is the intended result?</th>
<th>How will the result be measured?</th>
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<tbody>
<tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>Measure:</td>
<td>Target date?</td>
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<tr>
<td>Target date?</td>
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</tbody>
</table>

**Accountability Plan Guidance**

Effective measures adhere to the following criteria:

**Meaningful, focused, and aligned**

It is important for measures to be aligned to the objective and aligned to the larger goal of the innovative program that is proposed for a student learning time waiver. When considering a proposed measure ask: would all stakeholders agree this is the most effective and efficient means for representing the innovative program’s faithfulness to its mission and key design elements?

**Leave little room for interpretation**

All stakeholders should be able to read a given measure and have the same understanding of what the result will be, who will achieve the result, when it is expected to be reached, and how we will know if it has been reached. Each measure should answer the following specific questions:

- What will the result be?
- How will the result be measured? (specify an assessment tool)
- Who will achieve the result?
- When will the result occur? (set a timeframe or target date)

**It may be helpful to design effective measures as SMART Goals:**

Specific and Strategic; Measurable; Action Oriented; Rigorous, Realistic and Results-focused; and Timed.

Example: Objective is to lose weight.

- It’s **Specific and Strategic** = 10 pounds, 1 mile
- It’s **Measurable** = pounds, miles
- It’s **Action-oriented** = lose, run
- It’s **Rigorous, realistic, and results-focused** = weight loss and running distance
- It’s **Timed** = 10 weeks

**Outline evidence that is reasonable to collect**

Accountability plans should avoid trying to assess what cannot be measured. The feelings, beliefs, and perceptions of individuals or groups of people, for example, can be hard to measure reliably – unless the district uses a well tested survey tool and designs the tool carefully. Measures are more meaningful when they prompt the collection of evidence that is readily available and integrated in the innovative program’s promised or implemented practices. This can only be determined by considering the perspective of the person(s) collecting the evidence. If the time and effort needed to collect the evidence outweighs the value gained from reflecting on it, there is likely a better way.
Outcome vs. Process Measures

Measures can take two forms – outcome measures and process measures.

**Outcome** measures outline the expected results. All objectives must be linked with at least one outcome measure that is well-aligned to the objective.

**Process** measures track the implementation of activities that will lead to the desired ultimate outcomes. It is not necessary to use process measures. However, these measures can be a useful addition to outcome measures, particularly for new schools, for when a school launches a significant initiative, or for aspects of the program that are difficult to quantify, such as character development or the implementation of sound governance practices. Such process measures focus on how something will be done.

**Example:**

<table>
<thead>
<tr>
<th>Measure: (Outcome example)</th>
<th>What is the intended result?</th>
<th>High school four-year cohort graduation rates for the district rise by 1 percentage point</th>
</tr>
</thead>
<tbody>
<tr>
<td>How will the result be measured?</td>
<td>State-reported graduation rates</td>
<td></td>
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<tr>
<td>Target date?</td>
<td>By the graduation cohort of 2015</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Measure: (Process example)</th>
<th>What is the intended result?</th>
<th>All students meet with a graduation coach weekly to help remove barriers to high school completion</th>
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<tbody>
<tr>
<td>How will the result be measured?</td>
<td>Graduation coach logs</td>
<td></td>
</tr>
<tr>
<td>Target date?</td>
<td>During the 2013-14 school year</td>
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Waiver Application Assurances

This form must be signed by the school committee, or the school committee may give signatory authority to the district superintendent responsible for the proposed program. A waiver application will be considered incomplete if it is not accompanied by the Statement of Assurances.

I certify that, if granted a waiver, the school district will:

1) Implement the innovative program as outlined in this waiver application.
2) Request an amendment to the waiver if there is an expected change to the innovative program design or structure.
3) Report all students participating in the innovative program in data collections including SIMS (Student Information Management System) and SCS (Student Course Schedule).
4) Ensure that all students participate in required state assessments.
5) Meet all other federal and state education requirements, including but not limited to, Special Education services, educator licensure, English language learner supports, and school nutrition services.
6) Align coursework with the Massachusetts Curriculum Frameworks (MCF).
7) By August 1 of each year, submit an annual report to the Department that provides a picture of the recently completed academic year as it relates to the district’s accountability plan objectives and evidence for the approved programming.
8) Not charge tuition, fees, or other mandatory payments to students for full-time attendance at the program, for participation in required or elective courses, or for mandated services or programs.
9) Provide supplemental data on the program, as required by the Department.

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<th>Printed Name:</th>
<th>Printed Title:</th>
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<table>
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<tr>
<th>Authorized Signature</th>
<th>Date</th>
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