

PERSONALIZED LEARNING POLICY PLAY #11: PROVIDE AUTOMATIC WAIVERS FROM CERTAIN POLICY PROVISIONS FOR SCHOOLS IMPLEMENTING APPROVED PERSONALIZED LEARNING MODELS

CONTEXT

Traditional public schools are held to many state regulations that limit their ability to pursue personalized learning models. Some models call for changes—including flexibility around or removal of seat-time requirements (see Play No. 12), variations in staffing configurations, and a mix of larger class sizes with smaller groupings—that may not be allowed under some states’ laws. In contrast to public schools, charter schools receive automatic waivers from certain state regulations and district policies. These waivers give charter schools much greater flexibility than traditional public schools to make their own hiring, salary, curriculum, and assessment decisions. Such flexibility also enables them to pursue innovative instructional models for students. Charter schools that have used increased autonomy to create personalized learning models include Rocketship, Summit, and Ingenuity Prep.

PLAY IN ACTION

States can offer broad waivers, similar to the ones charter schools receive, to public schools seeking flexibility from multiple district and state regulations. Rather than apply for separate waivers in a piecemeal fashion—assuming that these waivers even exist in the state—public schools seeking to implement personalized learning models could apply for a broad waiver that gives them autonomy from many state regulations. Such waivers would make it much easier to implement personalized learning models, evening the playing field between public and charter providers when it comes to personalized learning.

A couple of states have started granting increased autonomy to traditional public schools that commit to implementing innovative models and being held accountable for student outcomes. Under the 2008 Innovation Schools Act in Colorado, schools developing innovative practices may apply for varying degrees of autonomy from district and state regulations. As of January 2013, 37 schools in four districts serving nearly 20,000 students had been designated Innovation Schools. These schools have been able to request waivers from state and district regulations related to the length of the school day and year, personnel (including salaries, evaluation, and hiring and termination policies), budget, curriculum, and assessments.

Florida's Innovation School of Technology program, established under a 2013 law, also allows schools that adopt a school-wide blended learning model to become innovation schools and receive the same autonomy given to charter schools in the state.

IMPLEMENTATION CONSIDERATIONS

Policymakers face several design considerations in drafting waivers for schools that implement personalized learning models. First, they need to define which schools should be eligible for such waivers. Any school in Colorado may apply for innovation status if school leadership provides evidence of support for this change from administrators, teachers, and parents. A local board can also apply

for all schools in the district, or a certain group of schools within the district, to become an Innovation School Zone. In Florida, policymakers have restricted eligibility so that only high-performing districts are eligible to apply to create an Innovation School of Technology. The state also caps the maximum number of such schools allowed in each district.

Policymakers will also need to determine the policies and regulations that will be automatically waived for innovation schools. They may choose to define a common set of policies that will be waived for all schools seeking innovation status, or require schools to specify in their application which policies they would like waived. Colorado uses a two-step process to grant waivers from district and state regulations. A school submits an initial application to the local school board. If the board approves the application, the school is granted flexibility from the district waivers it has specified in its application. If the school also wants autonomy from state regulations, the state Board of Education must review and approve the application. In Florida, the process is more streamlined. An eligible school district applies to the State Board of Education to operate an Innovation School of Technology. Once the board approves the school, it receives exemptions similar to the ones charter schools receive in Florida.

To successfully establish a waiver program, states will need to create accountability standards whereby innovation schools provide evidence on the effectiveness of their instructional models and practices. In Colorado, local school boards review each innovation school every three years to evaluate student performance. If a board finds a school's performance unacceptable, the board can revoke the school's innovation status. Innovation schools in Florida are held accountable through annual performance reports they provide to the State Board of Education and the Florida Senate. If a school is categorized as a low-performing one for two years (by receiving an F grade) or no longer meets the criteria for a district innovation school, it will lose its status and charter-like autonomy.

LEGISLATION

Colorado, S.B. 08-130 (Innovation Schools Act)

Florida, Statute 1002.451 (District Innovation School of Technology Program)

Kentucky, H.B. 37 (established Districts of Innovation)

RESEARCH AND RESOURCES

For more information on **innovation schools in Colorado**, see: <http://www.cde.state.co.us/choice/innovationschools>

For a list of **waivers commonly requested** by innovation schools in **Colorado**, see: <http://www.cde.state.co.us/sites/default/files/documents/choice/download/sb130/innovationguidanceappendixbwaivers.pdf>

View a list of **Districts of Innovation in Kentucky** at: <http://education.ky.gov/school/innov/pages/districts-of-innovation.aspx>