

**Application of Waiver of Administrative Regulations
Kentucky Board of Education**

As superintendent of the See attached list school district, I am requesting a waiver under KRS 156.160(2)(a) of the following Kentucky Administrative Regulation(s) promulgated by the Kentucky Board of Education. The waiver(s) is requested in order to remove barriers that exist to implementing certain strategies in our district designed to improve learning. These waiver requests were reviewed and approved at a meeting of the See attached board approvals Board of Education on various. The approval is contained in the board minutes that are available for review at the district's central office. The original copy of this request is also available at the district's central office.

Superintendent Signature

Date

Dr. Robert Rodosky

Print Name of Primary Point of Contact

(502) 485-3036; Robert.rodosky@jefferson.kyschools.us

Point of Contact Phone and E-mail

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Please include the numerical reference and description of the regulation:

1. 704 KAR 3:305 Minimum requirements for high school graduation
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Please describe the justification for your waiver request. Please include the specific language that you wish to have relief from and what your expected outcome is. Also, include your plan to measure the
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effectiveness of the initiative you propose. Please reference the administrative regulation in your response and complete a separate text box for each regulation for which you are requesting a waiver.

1.

The current Districts of Innovation (Danville Independent, Eminence Independent, Jefferson, Owensboro Independent, Owsley County, Taylor, and Trigg) are asking to be given relief from the requirements in 704 KAR 3:305(2) regarding the specific set of courses required to be eligible for high school graduation. The Districts of Innovation wish to provide each high school student with an individual graduation plan that ensures college/career readiness as well as meets the requirements of Kentucky's accountability model as approved under the state's ESEA Flexibility Waiver. In order to qualify under this waiver request a student must complete a locally designed course of study, personalized to the individual student's needs and interests, that incorporates the breadth of the Kentucky Core Academic Standards. In order for a student to participate under this waiver, they must first meet the following accountability measures:

- 1) Meet or exceed the benchmark scores on the End of Course (EOC) assessments for the four courses (Algebra II, Biology, English II and U.S. History) that make up the high school achievement portion of the accountability system per 703 KAR 5:200; and
- 2) Student must meet or exceed the benchmark scores for the ACT as outlined in 703 KAR 5:200.

NOTE: This waiver request does not serve as an early graduation opportunity. Students wishing to participate in an early graduation program must follow the requirements found in KRS 158.142.

The Districts of Innovation also agree to:

- 1) Provide KDE with the district's policy regarding individual graduation plans;
- 2) Provide KDE with the conditions under which the district may grant a diploma based on an individual graduation plan and that students shall complete a locally designed course of study, personalized to the individual student's needs and interests, that incorporates the breadth of the Kentucky Core Academic Standards and by which the student provides evidence of successful demonstration of the competencies expected of a Kentucky high school graduate.
- 3) Submit each Individual Graduation Plan to KDE for approval. Each plan will include the learning opportunities the student shall engage in and how those opportunities will address the breadth of the Kentucky Core Academic Standards.
- 4) Keep records showing evidence that these criteria have been met and to make available these records as requested by the Kentucky Board of Education. In addition, the Owsley County Schools agree, at the request of the Kentucky Board of Education and after an appropriate length of time, to report the KBE on the postsecondary success of these students.

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Please include the numerical reference and description of the regulation:

1. 703 KAR 5:240 Accountability administrative procedures and guidelines.

2.

3.

4.

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1.

Jefferson County Public School District is asking to be given relief from the requirements in 703 KAR 5:240 regarding the accountability administrative procedures and guidelines for Limited English Proficiency (LEP) students in order to consider both English language proficiency and content proficiency in definitions of academic achievement. This waiver would serve as a districtwide waiver, impacting all schools who serve LEP students with ESL programs.

To improve outcomes for our LEP students, Jefferson County Public Schools would like to change how assessment scores are attributed for accountability purposes. The district will use the assessment data to review student learning plans and adjust academic and social supports for English learners whose scores indicate they have not yet reached proficiency. This request recognizes both the timeframe and intensive linguistic, cultural and instructional supports newly arriving students need to develop literacy as well as academic content mastery.

Consequently, to the extent allowed by KRS 156.108 and 160.107, JCPS requests a waiver of KRS 158.6455 Section 3 and 703 KAR 5:240 at District of Innovation schools, so that:

- Any student who is Limited English Proficient and tests with an overall composite score on Tier A, B or C *below 4.0* on the ACCESS for ELLs® assessment will have their accountability for any state assessment attributed to the district. Baseline data from the 2013-14 school year shows that 1847 students scored below 4.0.
- Any student who is Limited English Proficient and tests with an overall composite score on Tier B or C *above 4.0* on the ACCESS for ELLs® assessment will have their accountability for any state assessment attributed to the accountable A1 school. Baseline data from the 2013-14 school year shows that 2370 students scored 4.0 or higher.
- Any student who is Limited English Proficient and does not have an ACCESS for ELLs® assessment score will have their accountability for any state assessment attributed to the district. Baseline data from the 2013-14 school year shows that 142 students did not have ACCESS scores.

This waiver is an intentional means of addressing the Gap component of the accountability model and moving more students to proficiency and beyond. LEP students who attend schools with ESL programs and who do not demonstrate proficiency on state assessments will receive added supports, including:

- Along with core curriculum instruction, students who are Limited English Proficient and test with an overall composite score on Tier A, B or C below 4.0 on the ACCESS for ELLs® assessment will receive targeted English Language Development instruction during a separate block of time, grouped by proficiency levels with specific language objectives.
- Content and ESL Teachers will receive copies of their students' ACCESS scores, WIDA English Language Development Standards, and the WIDA Can Do descriptors.
- The ESL Specialist, ESL Resource teachers and ESL teachers, working through Professional Learning Communities, will provide professional development to content teachers at District of Innovation schools on understanding the ACCESS results, effective implementation of instructional and assessment accommodations as well as varied ways to modify lesson plans to meet the individual needs of their EL students.
- Content and ESL teachers will use WIDA ACCESS scores and professional development to plan differentiated instruction. This includes identifying appropriate instructional levels, grouping students within the domains of English language development, collaboration and modeling of effective strategies and implementing effective, culturally responsive methods to address the needs of English Learners.

- The ESL Specialist and ESL Resource Teachers will work closely with principals, assistant principals, school-based instructional coaches and professional learning communities to promote research-based practices that increase the educational outcomes of ELs. The ESL Specialist and ESL Resource Teachers will support the district's initiative to implement PLCs as the main vehicle for teachers' professional growth and reflection.
- The ESL Specialist, ESL Resource Teachers, and ESL teachers will collaborate with content teachers to analyze data from district diagnostic and proficiency assessments to inform instruction and monitor EL student progress.
- The Program Services Plan (PSP) committee will review, revise and monitor individualized PSPs for all LEP students at District of Innovation schools. Plans will identify appropriate content based and collaborative learning techniques, Response to Intervention strategies along with available content area tutoring, extended school services and summer learning opportunities.

Jefferson County Public Schools views this waiver as an important addition to its District of Innovation designation. The request will benefit students by supporting their development of English proficiency and their progress in meeting challenging academic standards.

Jefferson County Public School District also agree to:

- 1) Provide KDE with the district's support plan for LEP students upon request;
- 2) Keep records showing evidence that support services have been provided and make available these records as requested by the Kentucky Board of Education. In addition, at the request of the Kentucky Board of Education and after an appropriate length of time, districts agree to report to KBE on the LEP students' progress in reaching the benchmarks for English language proficiency and content proficiency.

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1. 704 KAR 3:303. Required core academic standards.

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3.

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1.

Waiver request for Maupin Elementary for Implementation of Waldorf-Inspired Program

Waiver of timeline and grade levels for coverage of content standard established in 704 KAR 3:303, the Kentucky Core Academic Standards.

At its meeting on October 17, 2014 meeting, the Jefferson County Board of Education approved implementation of a Waldorf-inspired Catalpa Program at Maupin Elementary, beginning in the 2015-2016 school year. The Catalpa Program concept won the School of Innovation Design Competition in 2014. It will be a district-wide magnet program, and also serving students in Elementary School Cluster 13. The school will serve pre-K to grade 5 for the 2015-2016 school year, adding a grade each year subsequent year ultimately serving pre-K to grade 8.

Maupin Elementary will, as described in the Catalpa Program School of Innovation proposal, ensure that the Kentucky Core Academic Standards “are taught with intention and fidelity, without compromising the developmental basis of the Waldorf curriculum.” All content standards will be taught, but, under the waiver requested here, in a different order than set forth the Kentucky Core Academic Standards document.

Specifically this waiver request would permit a deviation from the grade-level timeline for instruction of the content standards in 704 KAR 3:303, and follow a curriculum timeline created by the Alliance for Public Waldorf Education in conjunction with the Alice Birney School in Sacramento, California.

Supporting documentation includes the following documents from the Catalpa Program proposal:

- Appendix C – Alice Birney Waldorf-Inspired Elementary 2013 Literacy Scores, demonstrating effectiveness of modified curriculum timeline in creating higher levels of academic achievement.
- Appendix D – Alliance for Public Waldorf Education Curriculum Summary, which sets forth the curriculum summary for Kindergarten through Eighth Grade.

Also included in the supporting documentation are parts 1-4 of the Alliance for Public Waldorf Education Recommendations for the Appropriate Placement of the Common Core Standards into Waldorf-Inspired Programs, which will be used as a guide for the coverage of content standards at Maupin Elementary.

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Please include the numerical reference and description of the regulation:

1. 702 KAR 7:140, Section 5. Activities of the Student Attendance Day

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Waiver request for Maupin Elementary for Implementation of Waldorf-Inspired Program

Waiver of 702 KAR 7:140, Section 5. Activities of the Student Attendance Day.

At its meeting on October 17, 2014 meeting, the Jefferson County Board of Education approved implementation of a Waldorf-inspired Catalpa Program at Maupin Elementary, beginning in the 2015-2016 school year. The Catalpa Program concept won the School of Innovation Design Competition in 2014. It will be a district-wide magnet program, and also serving students in Elementary School Cluster 13. The school will serve pre-K to grade 5 for the 2015-2016 school year, adding a grade each year subsequent year ultimately serving pre-K to grade 8.

The Waldorf-inspired Catalpa Program calls a different use of time than traditional elementary school programs, aligned with the age-appropriate developmental needs of students.

Under this waiver request, within the standard JCPS school day of 9:00 am to 3:45 pm, kindergarten students would have 30 minutes of rest time in the mornings, and 30 minutes of snack/rest time in the afternoon. The Waldorf-inspired method include substantially more rhythmic movement and indoor and outdoor physical activity as an integral component of the school day. Young children participating in the program require sufficient rest time to ensure that they

Also, the Waldorf –inspired method at all grade levels incorporates as a key component of the instructional day, well-supervised creative play with social intent. This takes place both indoors and outdoors in natural environments. This offers students time and opportunity for exploration, development of curiosity about the world, problem-solving, strengthening of gross and fine motor skills, and conflict resolution. Play is a fundamental means by which students learn about the world, learn how to learn, and develop a life-long curiosity that inspires critical thinking and investigation. The supporting documentation for this waiver includes an Exemplar of Daily Schedules taken from the Catalpa proposal.