The purpose of the Class Size Waivers (CSW) project in the Dallas Independent School District (Dallas ISD) was to comply with the provisions and requirements of Texas Education Code (TEC) §25.112. In 2009, the 81st Texas legislature amended the requirement for each school district in Texas to conduct a class size enrollment survey for Kindergarten through Grade 4 annually, effective September 1, 2009. Previously, the survey and reporting were required each semester.

Legislative Provisions and Requirements
The following is a summary of the provisions and requirements the district complied with in 2009-2010.

- A school district may not enroll more than 22 students in a kindergarten, first, second, third, or fourth grade class taking into consideration the subject, program methodology, and student needs.
- The district conducted an enrollment survey by the extension request date and submitted it to the Texas Education Agency (TEA).
- Identified classes that exceeded the allowable class size limit of 22:1. Class size limits do not apply to fine arts or physical education classes.
- Submitted board approved class size waiver request for any class that exceeded the class size limit. (Request must be approved in a regularly scheduled board meeting.)
- Request included campus name, campus rating, grades, and number of sections exceeding the class size limit in the request as required. (Campuses covered by waiver were expected to have an accountability rating of at least acceptable.)
- Submitted current district compliance plan with request. Plan included (1) steps to be taken to bring the district into compliance; (2) timeline for completion; (3) new efforts or progress toward compliance (if plan was previously submitted); and (4) the specific reasons that noncompliance must be addressed.

Project Description
The project's main objectives were to (1) identify K-4 classes that exceeded the 22:1 ratio and (2) eliminate or minimize campus waiver requests using approved instructional placement alternatives. This report includes data for both the 2008-2009 (fall and spring semesters) and 2009-2010 school years.

The CSW project was a six-fold process with collaboration across district functions. First, it developed a plan to define, organize, and close out the class size waiver process. Second, it summarized class size waiver requirements as set forth by TEA. Third, it developed a plan for conducting the survey and communicating the results and procedures for the campus analysis, corrections to class sizes, and implementation process to eliminate waiver requests. Fourth, it provided the information to Administrative Support for distribution to the Elementary Learning Communities (ELCs) and their K-4 campuses. Fifth, it reported implementation and outcome data to the Superintendent and Board of Trustees, and sixth, it submitted the request to TEA to meet class size waiver compliance.

Project Procedures
- District received notification for Compliance with Class Size Requirements from TEA.
- Requested an extension for conducting survey and submitting results requested by TEA.
- Process began after district leveling.
- Enrollment data extracted from district database on the survey date submitted in the extension request.
- Project objectives, timelines, and procedures communicated to Administrative Support with survey results (Campus Detail Report) for distribution to ELCs for distribution to their K-4 campuses.
- Survey results analyzed by campus administrators to identify classes that exceeded the allowable class size limit.
- Approved instructional alternatives and options selected by campus administrators as needed to eliminate or reduce waiver requests and corrections reported on the campus report.
- Campuses implemented alternatives and options reported.
- Class size corrections submitted by campuses, were analyzed, and compiled on a summary form by the ELCs who approved and submitted the final results to Administrative Support.
- Summary forms and campus reports reviewed by Administrative Support, anomalies resolved, and submitted to Evaluation and Accountability (E&A).
Final results analyzed by E&A to verify resolution of all anomalies and determine the final number of waiver requests to be submitted for approval.

Board approved request submitted to TEA.

Parent notification letters for students impacted by the waiver were sent as required (TEC §25.113) upon approval notification by TEA. (http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.25.htm#25.113)

Compliance with Class Size Requirements

At the initiation of the state project in fall 2001, the district requested 783 waivers for 112 schools. Over a nine-year period, however, the district has made significant progress in meeting the state requirement despite annual unpredictability of student enrollment and mobility rates. In fall 2008, the district experienced an unforeseen budget shortfall requiring a reduction in staff that included teachers. The district’s short-term solution for staffing required that K-4 classes to be leveled to 22:1 using actual student enrollment and district-approved staffing formulas. As a result, the district had to request waivers for both semesters in 2008-2009 due to the reduction of resources which impacted the hiring of teachers.

The district’s plan for reducing and eliminating waiver requests for the nine-year period has been through the campus-level implementation of its class size waiver compliance plan. The plan includes the use and implementation of approved instructional alternatives to make progress in achieving compliance with state law.

Compliance Plan

The district’s compliance plan has remained in effect but has been modified for the appropriate reporting periods as needed to address student needs. Four instructional alternatives or options in the plan have enabled campus administrators to eliminate or reduce their class sizes before requesting waivers. The alternatives adhere to the state agency’s commitment to ensure that waivers do not negatively affect student progress toward meeting the state’s standards for performance. The four campus options were to:

Level Classes
Level K-4 general education and bilingual education classes at 22:1 ratios using actual student enrollment and staffing formulas.

Implement Pairing Options
Pair NCLB qualified substitute teachers, teacher assistants (TA), or certified teachers with assigned classroom teachers in classes that exceed the 22:1 ratio within approved campus allocations. Use of this option increased the adult: student ratio for the entire instructional part of the school day for as long as the class size exceeded 22 students.

Create Multi-age Classes under the Supervision of Trained Teachers
Create multi-age (MA) classes with trained teachers within campus allocations. MA classes cannot exceed the 22:1 ratio and cannot enroll students from more than two grade levels.

Employ Additional Teachers
Employ and allocate additional NCLB qualified classroom and/or substitute teachers (create new sections) where budget allocations or building capacities permit.

The district’s long-term solution included continued steps to bring the district into compliance within three years based on projections for reestablishment of financial stability. As per the conditions of the TEA approval, the compliance plan included steps and future actions with proposed timelines (to the degree possible) for eliminating the need for future waiver requests. It included the district’s commitment to review, revise, and monitor the plan through its District Improvement Plan (DIP). As a result, an Action Plan for the CSW has been added to the DIP under “Student Achievement and Professional Development” (1.18.0) to ensure implementation of the plan and monitoring progress toward compliance with state law.

Additional initiatives that have contributed to the district’s success in addressing its mobility and continued enrollment growth needs over the past nine years have included but are not limited to:

• redrawing campus boundaries based on enrollment and feeder pattern changes;
• use (limited) of portables to meet facility shortages;
• implementing and completing facilities bond programs;
• building of new schools;
• implementing of an aggressive recruitment plan to meet the subject to be taught and the teaching methodology to be used requirement;
• implementation of a sixth grade initiative (moving sixth grade to middle school), has helped in relieving overcrowding and increased capacity for future growth in the elementary schools.

Results

Communication from the Commissioner of Education to all districts established the CSW fall survey due date of September 11, 2009, and a submission date of October 1, 2009. The district submitted an extension request to delay the enrollment survey until October
27, 2009, after completion of its leveling initiative in order to maximize reduced teacher resources. Additionally, it requested to delay the waiver submission date until November 19, 2009 in order to secure the board approval.

Initial enrollment survey results indicated 397 sections at 108 campuses required a waiver request. Campus administrators reduced or eliminated waiver requests by utilizing the four instructional options in the compliance plan. However, the district’s inability to eliminate all requests, due to the continued impact of reduced resources and mindful of the commissioner’s acknowledgement that districts could seek class size waivers as a way to cope with reduced state funding by requesting waivers (TASA/TASB Convention, 2009), resulted in having to request 38 waivers for 31 campuses (Table 1) for school-year 2009-2010. This represented a 90 percent decrease of the 397 waivers required in the initial survey total.

The district submitted waiver requests for 47 schools in fall 2008, 46 schools in spring 2009, and 31 for school-year 2009-2010 (Table 1). The 63 sections that required a waiver request in fall 2008 represented approximately 1.8 percent of the total number of its K-4 classes and 1.5 percent for 53 sections in spring 2009. For 2009-2010, the 38 sections represented approximately 1.1 percent. Kindergarten required the most requests. No waiver requests were required for multi-age classes for the 2009-2010 school year.

The districtwide reassignment of teachers, in compliance of the standards of service, provided additional teachers for staffing some classrooms that exceeded the allowable class size due to shifting student populations. Additionally, some campuses were provided positions through the Class Size Reduction Program funded by Title II, Part A funds. (See EA10-142-2, available at www.dallasisd.org/inside_disd/depts/evalacct/)

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<tr>
<td>Total</td>
<td>63 53</td>
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Note: Multi-age (MA) indicates classes which consisted of students in more than one grade level and at least one grade level is in the K-4 range. When determining if a waiver is needed for the class, all grade levels are considered.

For 2009-2010, approximately 58 sections were still over the state’s maximum class size, but were in compliance because they had an additional adult (TA, teacher, or substitute) paired with the classroom teacher. This was an approved pairing option in the local compliance plan submitted to TEA.

The district’s local exception guidelines were: staff to formula based on actual student enrollment; comply with the 22:1 ratio with one exception; and standards of service (teaching areas with methodologies and program enrollment requirements protected) will not be compromised. Despite its financial and logistical challenges, the district prioritized adjustments in the fall that enabled it to provide the resources needed to comply with one exception - one section per grade level could exceed the limit by no more than two students (24:1). Figure 1 presents the number of sections that exceeded the allowable class size limit by only one (21) or two (17) students per grade but still required the district to submit a waiver request to comply with the state requirement.

Figure 1. Number of sections that exceeded the ratio by one or two students.

Copies of the board approved plan which included the compliance responsibilities were distributed to the project staff listed in the plan.

Approval of Waiver Request

The district’s request was approved by TEA with the conditions that the district:

- Provide written notice of the exception to parent or guardian of each student affected by the exception (TEC §25.113). It required that the notice indicate the class for which a waiver was granted; state the number of students enrolled; be delivered through regular campus or district communication means; and be communicated to the parent no later than the 31st day after the date the waiver was granted.
• Initiate actions to ensure actions are being taken to reduce the need to rely on continued waiver requests.
• Initiate changes that lead to full compliance with state law in near future.
• Seek effective long-term solutions to comply with state law.

The district complied with the parent notification requirement. The district’s future actions and changes will be addressed in the district’s updated compliance plan to be submitted (if necessary) for the next reporting period.

Summary and Recommendations
• The district complied with the provisions and requirements of the TEC §25.112.
• The district continued to make progress in reducing waiver requests in 2008-2009 (63) fall semester and (53) spring semester to 38 in 2009-2010.
• The budget shortfall from the previous year, coupled with the economic impact of reduced state funding, continued to impact the district’s ability to completely eliminate waiver requests.
• Initial survey results indicated that waivers were needed for 108 schools. However, campus-level implementation of a class size waiver compliance plan contributed to the district’s success in reducing the total to 31 schools.
• While it was not able to eliminate all requests it did reduce the number indicated in the initial enrollment survey by approximately 90 percent.
• In requesting the waivers, the district took into account the commissioner’s acknowledgement that districts could request class size waivers to cope with reduced state funding.
• The local exception set in place in 2008-2009, required that classes be leveled within staffing formulas and campus allocations. It required that no more than one section per grade level exceed the limit by no more than two students (24:1). This, however, still required a waiver requests.
• The district objectives were to eliminate or minimize campus waiver requests through implementation of its compliance plan.
• Campuses used and implemented approved alternatives from the compliance plan to reduce or eliminate waiver requests.
• A board-approved compliance plan for 2008-2009 was submitted for complying with state law by 2011-2012, to the degree possible based on restoration of financial stability, and remained in effect for 2009-2010.
• The state approved the request with conditions to be met which included parent notification for classes that were granted waivers (TEC §25.113).

The district needs to ensure compliance with the terms and conditions of its board approved compliance plan submitted to and approved by TEA. The following recommendations are made to ensure full district compliance with the class size waiver requirement.

It is recommended that
• The district first ensures that its project managers and functions designated in the plan are aware of their responsibilities and required actions for ensuring compliance with the board and TEA approved plan.
• The district consider providing an overview of the class size requirements and the commitments set out in the compliance plan for project managers and campus administrators at the beginning of the school-year. The information should include the relevance and impact of the requirement to the leveling process.
• The required review of the plan should be conducted and revisions made based not only on student needs but on the current budget status. The review is a compliance requirement in the current approved plan to determine the continued need for budget adjustments or revisions of the long and short term goals to be submitted in the plan update. Therefore, the budget department should provide the results of its review on the budget status as it relates to the class size requirement.
• In the past, there appeared to be a disconnection between the budget planning for campus allocations, leveling, and the class size waivers requirement which impacted the campus administrator’s ability to comply with the requirement. The budget review and planning for leveling should continue to be conducted keeping the class size requirement in mind.
• The level of progress towards meeting the state goal should be documented annually in the District Improvement Plan as required in the TEA approval.
• The requirements set forth in the TEA approval for consecutive campus and district waiver requests be monitored, completed, and reported in the District Improvement Plan.
• District leadership should reassign the 2011-2012 CSW compliance responsibilities to Business Services which oversees school budgets and position allocations.

For more information contact the Department of Evaluation and Accountability at 972.925.3503.