The purpose of the Class Size Waivers (CSW) project in the Dallas Independent School District (Dallas ISD) is to comply with the provisions and requirements of class size waiver for 2008–2009 as required by Texas Education Code (TEC) §25.112 (http://www.statutes.legis.state.tx.us/?link=ED). Each school district in Texas is required to conduct a class size enrollment survey for Kindergarten through Grade 4 biannually each school year.

Waiver Provisions and Requirements

- Conduct survey by the established date as communicated by the Commissioner of Education for fall and spring semesters.
- Identify classes that exceed the allowable class size limit of 22:1.
- Class size limits do not apply fine arts or physical education classes.
- Campuses covered by waiver are expected to have accountability rating of at least acceptable.
- Waivers are only valid for one semester at a time.
- Submit board approved class size waiver request with current compliance plan with request within 30 days of the survey date for any class that exceeds the class size limit.
- Include campus name, campus rating, grades, and number of sections exceeding the class size limit in the request as required.
- District compliance plans must include (1) steps to be taken to bring the district into compliance; (2) timeline for completion; (3) new efforts/progress toward compliance (if plan was previously submitted); and (4) specific reasons that noncompliance must be addressed.

Evaluation Component

The Class Size Waiver project is coordinated by the Evaluation and Accountability Department (E&A). Its main objectives are (1) to identify K-4 classes that exceed the 22:1 ratio and (2) to eliminate or minimize campus waiver requests using approved instructional placement alternatives.

The CSW project is five-fold with collaboration across functions. First, it develops a plan to define, organize, and close out the class size waiver process. Second, it summarizes class size waiver requirements as set forth by the Texas Education Agency (TEA). Third, it develops a plan for communicating the results of the enrollment survey and the analysis and implementation process for eliminating the need for class size waiver requests. Fourth, it provides the information to Administrative Support for distribution to the Elementary Learning Communities (ELCs) and their K-4 campuses. Fifth, it reports implementation and outcome data submitted to the Superintendent, Board, and TEA to meet class size waiver compliance.

Methodology

- District receives notification for Compliance with Class Size Requirements for fall and spring semesters from TEA (http://ritter.tea.state.tx.us/tag).
- Process begins for the applicable reporting period. (Fall process begins after district leveling.)
- Enrollment data extracted from district database by the Public Education Information Management System (PEIMS) department on the state specified date.
- Process/project procedures developed by (E&A).
- Project objectives and procedures communicated to Administrative Support.
- Survey results (Campus Detail Report) and project procedures with timelines distributed to ELCs by School Support for distribution to K-4 campuses.
- Survey results analyzed by campus administrators to identify classes that exceed the allowable class size limit.
- Instructional alternatives/options selected by campus administrators from the compliance plan, as needed to eliminate waiver requests, implemented, and reported on the Campus Detail Report.
- Data (corrections) submitted by campuses analyzed and compiled on summary form by ELCs, approved, and submitted to Administrative Support.
- Summary forms reviewed by Administrative Support, anomalies resolved, and submitted to Administrative Support.
- Final results analyzed by E&A to verify resolution of all anomalies and determine final number of waiver requests to be submitted to TEA.
- If district waiver request is required, E&A summarizes outcomes, compiles summary documents, including the required compliance plan, for review and approval by the Superintendent and the Board of Trustees.
- Board approved request is submitted to TEA.
- When approved by TEA, send parent notification letters for all students impacted by the waiver.

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 five-year period, however, the district made significant progress in meeting the state requirement despite increases in student enrollment, mobility, and shortages of facilities. In spring 2002 the district reduced requests to 545, in spring 2004 to 191, and in spring 2006 to 58 (Figure 1).

In 2006-2007 and 2007-2008, the district complied 100% with the class size limit requirement by eliminating waiver requests for its campuses with K-4 classes.

The district’s plan for reducing and eliminating waiver requests has been through the campus-level implementation of its class size waiver compliance plan since fall 2001. In spring 2002, district project managing staff projected 100% compliance by the 2006-2007 school year. Over an eight-year period, the district initiated changes and utilized approved instructional alternatives/options to make progress and achieve compliance with state law that includes eliminating its reliance on waivers. Initiatives that also contributed to the district’s success in addressing its continued enrollment growth needs over the years included:

- redrawing campus boundaries based on enrollment and feeder pattern changes
- moving or building portable buildings to meet facility shortages
- implementing and completing facilities bond programs
- opening new schools
- implementing an aggressive recruitment plan
- implementing the sixth grade initiative (six graders to middle school), thus increasing capacity at its K-4 campuses.

In fall 2008, the district experienced an unforeseen budget shortfall requiring a reduction in force (RIF) that included teachers. The district’s short-term solution for staffing required classes to be leveled to 22:1 using actual student enrollment and district-approved staffing formulas.

Communication from the Commissioner of Education to all districts established the CSW fall survey due date as September 11, 2008, with a submission date of October 10, 2008. Due to its financial crisis, the district submitted an extension request to delay the enrollment survey for its K-4 classes until October 27, 2008, after leveling, to maximize reduced teacher resources, and to delay the submission until December 19, 2008, to enable it to secure board approval.

For the spring survey, the due date was January 22, 2009 with a submission date of February 20, 2009. The district submitted a request to conduct its survey on the due date but delay the submission until March 27, 2009, in order to secure the required board approval.

**Compliance Plan**

The previous CSW compliance plan developed in 2001 remained in effect but was modified to address the financial impact on teacher resources. Four instructional alternatives/options in the 2001 plan were developed to enable campus administrators to eliminate or reduce their class sizes before submitting a waiver request. These alternatives adhere to the state agency’s commitment to ensure that waivers do not negatively affect student progress toward meeting the state’s high standards for performance. They were modified for 2008-2009 to address the district’s reduction in force staffing guidelines. They are the following:

- **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 teachers of record in classes that exceed the 22:1 ratio within approved campus allocations.

- **Create multi-age classes under the supervision of trained teachers**
  - Create multi-age (MA) classes, within campus allocations, not to exceed the 22:1 ratio and no more than two grade levels per class.

- **Employ additional teachers**
  - Employ and allocate additional classroom and/or substitute teachers (create new sections) if budget allocations or building capacities permit.

The district’s long-term solution included steps to bring the district into compliance within three years based on projections for reestablishment of financial stability. The compliance plan included steps and future actions with proposed timelines (to the degree possible) for eliminating the need for future waiver requests, commitment to review and revise plan, and to monitor it through the District Improvement Plan (DIP). An Action Plan for the CSW was added under “Student Achievement and Professional Development” to the DIP (1.18.0) to ensure implementation of the plan according to the timelines and specifications that demonstrate compliance.

To address the intent of the state requirement that class sizes do not impede the progress of students toward meeting the standards for performance, the following grade alignment schedule was developed for a three-year elimination of all waiver requests, to the degree possible, based on the district’s budget status.
Implementation of the schedule requires that no classes at the specified grade levels exceed the maximum class size. An extension was included for a fourth year for grades K-1 in the event the district’s budget stability has not been achieved by the end of the three-year period. The plan’s last step requires the monitoring and reporting of the plan’s implementation and the district’s progress toward compliance with state law.

Results

The RIF created a pool of teachers from schools exceeding district approved staffing formulas. The district delayed implementation of the class size waiver process until they were placed at other campuses needing additional staff due to unanticipated growth. This helped campuses level most classes at approved staffing formulas.

The enrollment survey for fall indicated that 272 sections required a waiver request and that 205 required requests for spring. Campus administrators reduced or eliminated waiver requests by utilizing the four instructional options in the compliance plan. The district, however, was unable to provide the additional resources needed to eliminate all requests. As previously communicated to TEA, the district cited the reason for all waiver requests for both semesters as its inability to employ additional teachers due to its budget shortfall.

The district submitted waiver requests for 47 schools in fall 2008 and 46 schools in spring 2009 (Table 1). The 63 sections that required a waiver request in fall 2008 represented approximately 1.8% of the total number of its K-4 classes (3,572). For spring 2009, the 53 sections represented approximately 1.5% of its K-4 classes (3,586). The highest number of fall requests was in grades two and three. Kindergarten required the most requests in the spring, followed by grades two and three, respectively.

For fall, 42 classes and 59 for spring were still over the maximum class size, but were in compliance because they had an additional adult (TA, teacher, or substitute) as an approved pairing option in the local plan. The purpose of using this option is to increase the adult: student ratio for as long as the class size exceeds 22 students. The use of this alternative required that campus administrators implement the options selected for the entire instructional part of the school day.

Despite its financial and logistical challenges, the district prioritized adjustments in the fall that enabled it to provide resources needed to comply with its exception. For spring, however, the district was only able to make a few adjustments. The district exception was that only one section per grade level could exceed the limit by no more than two students (24:1). Figure 2 presents the number of sections for the fall and spring semesters that exceeded the allowable class size limit by only one or two students but still required the district to submit a waiver request.

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<tr>
<th>Grade Level Sections Exceeding the 22:1 Class Size Limit</th>
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Approval of Waiver Request

The district’s fall and spring requests were approved by TEA with the following conditions for each of the requests:

- Provide written notice of the exception to parent or guardian of each student affected by the exception (TEC §25.113). Notice must indicate the class for which a waiver was granted; state number of students; be delivered through regular campus or district communication means; and be communicated to parent no later than the 31st day after the date the waiver was granted.

The district complied with the parent notification requirement for the fall semester. It was unable, however, to comply with the requirement for the spring semester because the approval was received by the district on the last day of school, June 3, 2009.

- Initiate actions to ensure community is aware of waiver requests and actions are being taken to reduce 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 enrollment growth to comply with state law.

Summary

The district complied with the provisions and requirements of TEC for class size waivers as required. From fall 2001 to spring 2006, the district reduced the number of K-4 classes exceeding the class size limit from 783 to 58 and then to zero in 2006-2007 and 2007-2008. Campus-level implementation of a class size waiver compliance plan developed in fall 2001 contributed to the district’s success in managing its enrollment growth and reducing the number of waiver requests.
For 2008-2009, it met its objectives to identify K-4 classes that exceed the 22:1 ratio and eliminate or minimize campus waiver requests using approved alternatives from its compliance plan.

Due to the unanticipated decline in financial resources, the district was unable to eliminate all waiver requests. A local exception required that classes be leveled within staffing formulas and campus allocations. The exception also required that only one section per grade level could exceed the limit by no more than two students (24:1). The decline in teacher resources resulted in the district having to submit waiver requests for both fall and spring semesters.

Sixty-three (63) waivers were requested for 47 schools for the fall semester, and 53 waivers for 46 schools for spring. Of the sections requiring waivers, 32 sections in the fall and 27 in the spring exceeded the limit by only one student, while 31 in the fall and 26 in the spring exceeded the limit by two students. These differences were in compliance with the exception.

A board-approved compliance plan was submitted for each of the two reporting periods with a three-year goal for complying with state law.

The state approved the request with conditions to be met.

**Recommendations**

- The district should ensure compliance with the terms and conditions in its compliance plan submitted and approved by TEA.
- The district and its project managers/functions, designated in the plan, share the responsibilities for ensuring compliance.
- All district functions should be knowledgeable about the plan, its action steps, timelines, and their responsibility.
- Periodic reviews should be conducted to determine the continued need for the plan or revised based on student needs and budget status.
- Compliance should be monitored and reported. It must ensure procedures for documenting compliance are in place.
- Progress towards meeting the state goal should be documented in the district improvement plan.

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