

THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FLORIDA

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February 12, 2009

Dr. Eric Smith, Commissioner of Education  
Florida State Board of Education  
Bureau of School Improvement  
325 West Gaines Street  
Turlington Building  
Tallahassee, Florida 32399-0400

Dear Commissioner Smith:

Your review and approval of the two Charter School District waivers below is requested. The School District of Palm Beach County requests approval of these waivers under the provisions of its Charter School District status. Both waivers will positively impact student achievement and meet the needs of many more students in our schools.

#### **Florida Statute Specification and Current Practice Required by State**

The School District of Palm Beach County is requesting a waiver for the requirements of a specific number of hours of seat time to obtain course credit in high school courses. According to Florida Statute 1003.436(1) (a), the definition of credit is defined as the following:

*“For the purpose of requirement for high school graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards...”*

#### **Alternative Practice**

Alternative practice requires a student to demonstrate mastery of the curriculum through daily assignments, projects, and assessments. Demonstrating mastery enables students to receive credit. For example, current practice in Florida Virtual School is that courses are completed based on mastery, not seat time requirements. Mastery learning is an instructional method that presumes all children can learn if they are provided with the appropriate learning conditions and time. Specifically, mastery learning is a method whereby students are not advanced to a subsequent learning objective until they demonstrate proficiency with the current on.

#### **Rationale for an Alternative Practice**

Noted researcher Benjamin Bloom and others have conducted significant research on mastery learning. Davis and Sorrell revealed that students with minimal prior knowledge of material have higher achievement through mastery learning and experience enhanced learning outcomes in most subject areas with greater gains in Math and Science.

Traditional instruction holds time constant and allows mastery to vary while mastery learning holds mastery constant and time varies (Robinsons, 1992). Guskey and Gates (1986) found mastery learning produces increased achievement gains over traditional learning. Kulek (1990) concluded the benefits of mastery learning were enduring, not short term.

### **Student Achievement Impact**

Mastery learning is an effective way for students to learn and retain new material. Guskey and Gates (1986) conducted a meta-analysis which contained 27 studies addressing 5 variables (student achievement, student retention, time variables, and student affect and teacher variables). They discovered that the achievement results were overwhelmingly positive, but varied from study to study. Positive effects of mastery learning were seen across all levels. A pilot in Palm Beach County with 18 middle school students revealed that all students mastered their subjects on grade level and completed 1 ½ years of growth within one school year. As a result, all students were promoted to the next grade level (June 2006).

Academically, students are achieving higher test scores and more students are advancing to college since the transition to mastery learning programs (Patterson, 1993). School systems must recognize that traditional methods of teaching and learning are unsuccessful for many students (Robinson, 1992). The practice of designating mastery rather than seat time will enhance a student's ability to graduate. Students not completing the required 67 ½ hours of seat time can verify course credit through mastery. For example, a (Patterson, 1993) study at a Colorado High School which discarded seat time for mastery learning revealed that students achieved higher test scores and more students advanced to college.

### **How will it be Measured and Monitored**

Mastery learning will be implemented as a teacher-paced group instruction, one-to-one tutoring, or self paced learning with programmed materials. It will also involve direct teacher instruction, cooperation with classmates, or independent learning. Mastery learning focuses on the process of mastering content based on Benjamin Bloom's Learning Mastery Model. Data will be collected on all students. The number of students who complete courses with a passing grade (A,B,C, or D) using a mastery learning program will be compared to the number of students who complete courses with a passing grade (A,B,C, or D) using the seat time requirement.

### **Florida Statute Specification and Current Practice Required by State**

*According to Florida Statute 1001.42(4) (f), opening and closing of schools; fixing uniform dates; conveys to district school boards the power to, "Adopt policies for the opening and closing of schools and fix uniform dates; however, beginning with the 2007-2008 school year, the opening date for schools in the district may not be earlier than 14 days before Labor Day each year."*

*The operative consequence of this provision of s. 1001.42 requires the district to develop a 2009-2010 school calendar that starts the school year no earlier than August 24, 2009.*

### **Rationale for Alternative Practice**

The School District of Palm Beach County proposes that the State Board of Education waive the provisions of s. 1001.42(4) (f) and allow the School Board to adopt a 2009-2010 school calendar that begins the school year on August 17, 2009. The proposed waiver bears on the following issues which are crucial to programmatic outcome and student success, especially that of the lowest performing students.

- **Continuity of Instruction**

An analysis of student performance on local assessments (semester examination) indicates that the degree of instructional continuity, prior to the administration of such local assessments, is a significant predictor of student performance.

- **Fidelity of Implementation of restructuring Mandates of the Differentiated Accountability Model**

Given the inherent demands associated with constructing the annual school calendar, the operation of the statutory mandate will require the prioritization of competing demands (student contact, holidays, teacher workdays, professional development, team planning) for available time.

- **Fall Diagnostic Testing Program**

Fall diagnostic testing is an invaluable tool used by the district to identify and address on an individual basis, student progress and learning related subject areas measured by the Florida Comprehensive Assessment Test. The orderly and systematic implementation of an effective diagnostic testing effort requires opportunities during the first semester for test administration and data analysis.

- **Stakeholder Interest**

The District's Calendar Committee, which is comprised of parents, teachers, school-site administrators, district, civic and business partners, and representatives of other District bargaining units, unanimously approved (January 21, 2009) two 2009-2010 calendar options for the Superintendent's consideration. The committee's preferred option is for the 2009-2010 school year to begin on August 17, 2009.

### **Student Achievement Impact**

The School District of Palm Beach County has the proud distinction of being the only "A" rated school district in the State of Florida for four consecutive years. For three of those four years, we have ended our first semester prior to the winter break. As part of our effort to promote a college-ready culture, we encourage our students to take advanced placement courses and dual enrollment at our local colleges and universities. Since colleges follow a calendar that ends the first semester prior to the winter break, exams scheduled after winter break pose a problem for students. The school year our district ended first semester after winter break, our teachers strongly agreed that there were many issues that arose. This caused a discontinuous schedule for many of our dual enrollment students who were studying for dual enrollment exams at a different time than other exams.

Teachers also indicated that the first semester instructional weeks occurring after winter break had ended were utilized to review materials with students that had already been instructed prior to the break, as many students forgot important content. Therefore, they had to plan to complete the content they were required to teach prior to the break.

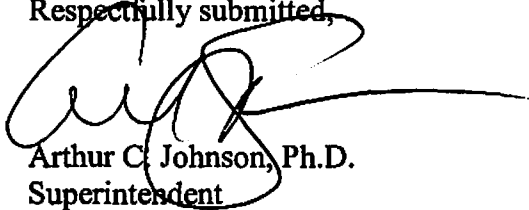
Furthermore, we consistently have schools recognized among the top ten, fifty and one hundred high schools in the nation. We strongly believe that our continuous "A" rating demonstrates academic excellence and should be an important factor considered when making a decision regarding our proposed waiver to the aforementioned statute.

**How will it be Measured and Monitored**

By June 2010, we will compare our academic statistics and provide a full disclosure within our Academic Business Plan update to the School Board to demonstrate the adjusted calendar impact. We will monitor closely the diagnostic benchmark testing that we implement twice during the first semester of the year. This will enable us to determine how the additional week of school has impacted student achievement.

These waivers have been unanimously approved by the Charter District Advisory Committee and by our School Board.

Respectfully submitted,



Arthur C. Johnson, Ph.D.  
Superintendent

ACJ:AK:JK:lm

Enclosures (2)



School District of Palm Beach County  
Charter School District Waiver Justification

Department Application

Department of Labor Relations  
2008-2009 School Year Start Date Waiver

1. List State Statute, with the specific language of the statute to be addressed.  
Describe the current practice required by statute.

***Section 1001.42(4)(f) F.S. - Opening and Closing Schools; fixing uniform date; conveys to district school boards the power to, "Adopt policies for the opening and closing of schools and fix uniform dates; however, beginning with the 2007-2008 school year, the opening date for schools in the district may not be earlier than 14 days before Labor Day each year."***

***The operative consequence of this provision of s.1001.42 requires the district to develop a 2009-2010 school calendar that starts the school year no earlier than August 24, 2009.***

2. Explain alternative practice to be implemented.

***The School District of Palm Beach County proposes that the State Board Of Education waive the provisions of s.1001.42(4)(f) and allow the School Board to adopt a 2009-2010 school calendar that starts the school year August 17, 2009.***

The proposed waiver bears on the following issues which are crucial to programmatic outcomes and student success, especially that of the lowest performing students.

➤ Continuity of instruction

**An analysis of student performance on local assessments (semester examinations) indicates that the degree of instructional continuity, prior to the administration of such local assessments, is a significant predictor of student performance.**

➤ Fidelity of implementation of restructuring mandates of the Differentiated Accountability Model

**Given the inherent demands associated with constructing the annual school calendar, the operation of the statutory mandate will require the prioritization of competing demands (student contact, holidays, teacher workdays, professional development, team planning) for available time.**

➤ **Fall Diagnostic Testing Program**

Fall diagnostic testing is an invaluable tool used by the district to identify and address on an individual basis, student progress and learning related subject areas measured by the Florida Comprehensive Assessment Test. The orderly and systematic implementation of an effective diagnostic testing effort requires opportunities during the first semester for test administration and data analysis.

➤ **Stakeholder interest**

The District's Calendar Committee, which is composed of parents, teachers, school-site administrators, district civic and business partners, and representatives of other District bargaining units, unanimously approved (January 21, 2009) two 2009-2010 calendar options for the Superintendent's consideration. The committee's preferred option would have the 2009-2010 school year start August 17, 2009.

3. Provide a student-achievement impact statement. Include significant data demonstrating support for this waiver.

Palm Beach County has the proud distinction of being the only "A" rated school district in the State of Florida for four consecutive years. For three of those four years, we ended first semester prior to winter break. The year that we ended after winter break, our teachers felt strongly that there were many issues that arose: As part of our effort to promote a college-ready culture, we encourage our students to take Advanced Placement courses and to Dual Enroll at our local colleges and universities. These college and advanced courses work on a calendar that ends semester one prior to winter break. This caused a discontinuous schedule for these students who were studying for exams outside of the school exam schedule. Secondly, teachers indicated that the weeks after winter break ended were used to review material to bring students up to where they were academically prior to the break. Additionally, we consistently have schools recognized among the top ten, fifty and one hundred high schools in the nation. We strongly believe that our continuous "A" rating demonstrating academic excellence should be considered when making a decision to allow us to waive this statute.

4. Describe how the impact of this waiver will be measured, monitored, acted upon and reported to the school board on a regular basis. Use specific, measurable, agreeable, realistic, and time-bound parameters.

By June 2010, we will compare our academic statistics and provide a full disclosure within our Academic Business Plan update to the School Board to demonstrate the adjusted calendar impact. We will monitor closely the diagnostic benchmark testing that we do twice during the first semester of the year. This will help us determine if the additional week of school has impacted achievement of our students.

\*Section 1008.22(6)(c). The annual testing program shall be administered to provide for valid statewide comparisons of learning gains to be made for purposes of accountability and recognition. The commissioner shall establish a schedule for the administration of the statewide assessments. In establishing such schedule, the commissioner is charged with the duty to accomplish the latest possible administration of the statewide assessment and the earliest possible provisions of the results to the school districts feasible within available technology and specific appropriation. District school boards shall not establish school calendars that jeopardize or limit the valid testing and comparison of student learning gains.

Attain approval documentation from Department of Legal Services.

Approved by:

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief/Assistant Superintendent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Academic Leadership Team Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Academic/Operating Officer

\_\_\_\_\_  
Date

For additional information contact:  
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Division of Learning Support  
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