

To: Members of the Board of Education
From: Marvin Pryor, Chief Academic Officer
Date: February
Re: DPI Waivers

The district will be seeking DPI waivers in three separate areas as described below. These waivers serve to provide the district with increased flexibility to respond to needs as the COVID-19 pandemic continues.

The DPI [waiver](#) will be used to submit the requests, with the following rationale statements.

Attendance Waiver

Rationale for seeking waiver:

With our return to in-person learning, our attendance system is even more robust than the system we used in the spring. Our system is in alignment with Board of Education policy number [2604](#) and meets most standards of Wis. Stat. §118.16. However, there are some aspects of the law which may be challenging for us to meet and which will require increased flexibility as described below:

- The statutory definition of truancy refers to missing “part or all” of a day. Attendance for virtual learning is taken once per day for elementary students and once per class period for middle and high school scholars. For our elementary scholars, it will be difficult to technically document scholars who miss part of the day. The default for attendance on IC is present. Students are present when one of the following is true:
 - Virtually attend the synchronous, or live, real-time instruction; or
 - Complete and submit an asynchronous, or independent learning task assigned by the teacher on the virtual learning platform; or
 - Engage in two-way, academically-focused communication (phone call, email exchange, or office hours virtual visit) with a staff member
- Section 118.16 also requires that we include in our communications with families the potential consequences of “fines or jail time” if they do not compel their student to attend. Given these uncertain times when positive and supportive relationships are so crucial to our student/family engagement and school success, we would rather not be compelled to use this language in our communications with families.

Instructional Minutes Waiver

Rationale for seeking waiver:

Though our intent is to meet MMSD and DPI's instructional hour expectations, as reflected in [PI 8.01\(2\)\(f\)](#), we want to ensure that we have flexibility to meet the needs of our students. Due to COVID-19 and the onslaught of the Omicron variant, MMSD took the extraordinary step of extending winter break. We extended the winter break by three days and held seven days of full virtual instruction for all students. Classes did not resume in person until January 10, 2022. Because we missed the three days of instruction, we are seeking a waiver of instructional minutes.

Educator Effectiveness Waiver

Rationale for seeking waiver:

This year due to extreme staffing shortages in MMSD and around the country, it has been difficult for many principals and educators to engage in an authentic evaluation process. Thus, we are seeking a waiver of the [Education Effectiveness](#) requirement to allow for flexibility in the process while still prioritizing classroom observations and feedback to teachers. Proposed adjustments to the Educator Effectiveness (EE) process are outlined as follows:

- **EE Cycle Year-** Educators who are currently in a Summary Year will have the option to defer and be moved to a Supporting Year. Educators who opt to remain in a Summary Year will complete the EE process (adjustments outlined below) with their principal.
- **Student Learning Outcome (SLO)/Professional Practice Goal (PPG)-** Completion of the SLO/PPG documents in Frontline will not be required for the 2021-22 school year.
- **Observations-** Completing observations and providing feedback to educators will remain a priority. For those educators who choose to complete their Summary Year evaluation process, observations will be required. Principals can choose to complete mini-observations for Supporting Year educators. **Please note:** *Observational evidence will be needed when principals are considering educators for potential Surplus/Layoff.*
- **End-of-Cycle Summary (only for educators who choose to remain in Summary Year)-**
 - The educator will be required to complete the End-of-Cycle Reflection document in Frontline.
 - The principal will be required to complete the End-of-Cycle Summary document including written feedback, and critical attributes/rubric completion for focus components.
- **Artifacts-** Educators will be required to upload artifacts only if they opt to complete their Summary Year.