



# Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

## 1003 Flexibility

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**To:** Indiana State Board of Education  
**From:** Office of School Support and Transformation  
**Date:** June 13, 2025  
**Subject:** 1003 Flexibility Waivers

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## I. Basis for Agency Review

During the 2020 legislative session, the Indiana General Assembly enacted P.L. 92-2020, which, in relevant part, permits a school or group of schools to apply to the State Board of Education (Board) for flexibility and to waive compliance with various provisions outlined in Title 20 of the Indiana Code and Title 511 of the Indiana Administrative Code. The flexibility is provided in the form of a 1003 Flexibility Waiver.

## II. Requests for 1003 Flexibility Waivers under IC 20-31-4.1-4

To obtain a 1003 Flexibility Waiver, schools must submit an application that includes the following:<sup>1</sup>

- (1) A list of one or more provisions in Title 20 of the Indiana Code and/or Title 511 of the Indiana Administrative Code the school or group of schools is requesting the Board waive.
- (2) The specific goal(s) and/or outcome(s) the school or group of schools intends to achieve by waiving the provisions identified in the application.
- (3) An explanation of how the specific goal(s) and/or outcome(s) the school or group of schools intends to achieve are likely to be achieved by waiving compliance with the provisions identified in the application.
- (4) The performance benchmarks and data that will be used to determine whether the specific goal(s) and/or outcome(s) identified by the school or group of schools have been achieved.
- (5) A resolution adopted by the governing body of the school or group of schools authorizing the submission of the 1003 Flexibility Waiver application.

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<sup>1</sup> Ind. Code § 20-31-4.1-4(b).



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After reviewing a school's 1003 Flexibility Waiver request, the Board may grant the school a waiver if the Board determines that (1) the waiver request is related to a specific goal or outcome of the school or group of schools<sup>2</sup>, and (2) that granting the waiver will likely:<sup>3</sup>

- (1) Improve student performance and outcomes.
- (2) Offer the school or group of schools making the request flexibility in the administration of educational programs or improve the efficiency of school operations.
- (3) Promote innovative educational approaches to student learning, or
- (4) Advance the mission or purpose of the school or group of schools.

In other words, if the Board determines that a waiver request is not related to a specific goal or outcome of the school or group of schools, the request cannot be granted, and the waiver must be denied. Additionally, if the Board determines that granting a waiver is unlikely to improve student performance and outcomes, offer the school or group of schools making the request flexibility in the administration of educational programs or improve the efficiency of school operations, promote innovative educational approaches to student learning; or advance the mission or purpose of the school or group of schools, the request cannot be granted, and the waiver must be denied. Finally, IC 20-31-4.1-7 contains a list of provisions that may not be waived. Thus, a request to waive any of the provisions enumerated in IC 20-31-4.1-7 cannot be granted and must ultimately be denied.

### III. Request(s) and Recommendation(s)

The IDOE has reviewed the submitted applications and applied criteria to determine if the LEA qualifies for a three-year waiver. The criteria are based on the benchmark data in the following categories from the Indiana GPS Dashboard: 3rd-grade Literacy, 6th-grade Math Growth, Graduation Pathways Completion, College & Career Credentials, and Employment & Enrollment. To qualify for a three-year waiver, an LEA must meet or show growth toward the benchmark goals in four out of the five categories listed above.

The Board has received 1 amended request for a 1003 Flexibility Waiver from the following school corporations:

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<sup>2</sup> Ind. Code § 20-31-4.1-5(a).

<sup>3</sup> Ind. Code § 20-31-4.1-5(b).



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## (1) Blue River Valley Schools (3405)

After reviewing the requests, it has been determined that the corporations' applications include the statutorily required information and are eligible for consideration by the Board. For the statutory and regulatory provisions included in the requests, the Department recommends the following:

### **School Year Requirement**

The school corporations listed below are requesting flexibility to waive the statutory minimum requirements for a school year outlined in IC 20-30-2-3, which requires 180 instructional days. All of the applications below are seeking flexibility to offer staff professional development within the existing teacher contract, and all commit to providing the minimum equivalent of in-person instructional minutes that would serve as the equivalent of 180 instructional days.

## 3) Blue River Valley Schools (3405)

### a. IC 20-30-2-3 (School Year) – **Grant**

Dispensations	Commitments/Justification
IC 20-30-2-3 (School Year) Each school year must have 180 instructional days.	Blue River Valley Schools shall conduct four (4) full days of professional development in lieu of the reduced number of student instructional days.
Authorize Blue River Valley Schools to conduct a school year that consists of 176 instructional days.	<p>The combined total number of in-person instructional minutes across all grade levels will meet the equivalent of the statutory requirement of 180 days, times the minimum length of an instructional day:</p> <ul style="list-style-type: none"><li>- Grades 1-6: Students will receive 73,040 minutes of in-person instruction (statutory minimum is 54,000)</li><li>- Grades 7-12: Students will receive 69,520 minutes of in-person instruction (statutory minimum is 64,800)</li></ul>