November 12, 2015

Mrs. Margaret T. Allen, Superintendent
Montgomery County Schools
P. O. Box 1991
Montgomery, AL 36102-1991

Dear Mrs. Allen:

Upon review of Montgomery County Schools’ Innovation/Flexibility Zone application, I am happy to approve your Innovation Zone plan. Attached are approval recommendations for implementing the requests made in the Montgomery County Schools Innovation/Flexibility Zone application.

Your continued commitment to innovation in education will provide exceptional opportunities to meet the needs of each of your students and prepare each for college and/or career in the 21st century. It is evident that the Montgomery County Schools’ plan for innovation ensures increased learning opportunities for accelerating students on a trajectory that will lead to success.

Please remain in communication with Mrs. Karen Porter to share your successes, challenges, and lessons learned that will be valuable to our moving our state forward and to providing helpful guidance to other districts as they develop innovative plans.

Sincerely,

Thomas R. Bice
State Superintendent of Education

TRB:KWP:DK

Attachment

cc: Mrs. Sherrill W. Parris
    Dr. Melinda Maddox
    Mrs. Shanthia Washington
    Mrs. Karen Porter
Advisements and Reminders for Approval of the Montgomery County Schools 2015 Innovation Plan

1. Concerning Montgomery County Schools’ request to allow rising 10th and 11th grade students to participate in the Montgomery Public Schools Virtual School Program, you are reminded of the following:

   a. The local education agency (LEA) should be advised of the Virtual School Options law (Act No. 2015-89) and align its policy accordingly before the 2016-17 school year as stated.

   b. It is the responsibility of Montgomery County Schools that all courses contain the required Alabama Course of Study content.

   c. Caution should be given to public school students with regard to Alabama High School Athletic Association (AHSAA) and the National Collegiate Athletic Association (NCAA) rules imposed on traditional public school students when determining career path/courses. All college preparatory ACCESS courses are approved by NCAA except Credit Recovery/Credit Advancement. It is the system’s responsibility to obtain accreditation for online courses delivered that are not delivered by ACCESS.

      i. Administrative, academic, athletic, and guidance/counseling personnel should considered AHSAA and NCAA guidelines when advising student athletes on substitute courses to assure retention of eligibility. The NCAA requires all online courses to be approved and identified on the student’s transcript. Credit Recovery/Advancement courses are not accepted by the NCAA. This caution applies to all flexibility requests that involve substituting courses/flexible credit for traditional coursework/credit. (See the May 26, 2015, State Superintendent Memorandum—Mathematics Pathways, FY15-2072.)

   d. All full-time students must take all state assessments and follow the state security policy, including the following:

      i. ASPIRE: Grades 3-8 and 10
      ii. ACT: Grade 11
      iii. WorkKeys: Grade 12

   e. The Alabama State Department of Education (ALSDE) strongly recommends that all online educators hold valid professional educator certification in Alabama or in another state.

   f. Pursuant to the Alabama Child Protection Act of 1999, as amended in 2002, LEAs must include in their contracts with vendors that online educators/employees with unsupervised access to students (virtually or in person) are required to complete a criminal history background check through the ALSDE.

   g. Online educators/employees who do not hold valid Alabama certification will be considered contract employees subject to the provisions of the Alabama Child Protection Act. With this designation these employees will need to complete a criminal history background check through the ALSDE as a “classified” employee. After criminal history background results are submitted by the Alabama State Bureau of Investigation (ASBI) and the Federal Bureau of Investigation (FBI) to the ALSDE, one
of the following types of correspondence will be sent from the ALSDE to both the online educator/employee and the LEA superintendent of record:

i. A letter confirming the absence of any criminal convictions and/or pending charges as reported by ASBI and FBI.

ii. A letter confirming any known criminal convictions or pending charges as reported by ASBI and FBI.

iii. A closing letter confirming that an ASBI/FBI criminal history background check could not be completed due to the applicant’s failure to provide required documents to the ALSDE. **This individual is prohibited from working until he or she has complied with all requests from the ALSDE for information and a full review of the individual’s criminal history has been completed by the ALSDE.**

iv. In all cases mentioned above, upon the completion of the review a corresponding message will be posted to the ALSDE’s Certification Portal, which is on the ALSDE Web site and available to both authorized users and members of the public.

h. Online educators/employees who do not hold valid Alabama certification and provide services for multiple LEAs must provide to the superintendent of each LEA a copy of their final letter from the ALSDE. LEA superintendents who receive a copy of the final letter from the online educator/employee are strongly advised to verify its content by contacting the Educator Certification Section of the ALSDE’s Office of Teaching and Leading.

Please be aware that it is the affirmative responsibility of the LEA to determine the online educator’s/employee’s eligibility for employment.

2. Concerning Montgomery County Schools’ request to permit students enrolled in the Montgomery Public Schools Virtual School Program to graduate from the program:

Students enrolled full-time in the Montgomery Public Schools Virtual School Program receive a diploma from Montgomery County Schools.

3. Additional Reminders:

a. Students enrolled in the full-time virtual program must participate in accountability requirements through the LEA. Accountability for the virtual student is with the home originating school of record.

b. Within an LEA, the responsibility for virtual student tracking and reporting to the ALSDE is the responsibility of the home originating school of record in accordance to the LEA policies.

i. Students will be enrolled in their home originating school of record

ii. The ADM is counted at the home originating school of record

c. All legal liabilities and monitoring are the responsibility of the LEA, including those previously stated above and:

i. Quality

ii. Success of Students

iii. Special Education Services – The system must provide the services outlined in the student IEP and must meet all IDEA requirements with the first being determination of the Least Restrictive Environment by the IEP Team

d. All virtual students are required to have a teacher of record to assign grades. Only system employees should have access to iNOW and SETS.
INNOVATION ZONE

Provide greater flexibility in meeting the educational needs of a diverse student population

Improve educational performance through greater school autonomy and managerial flexibility to administer programs and budgetary matters

Provide greater control to local decision making

Leverage new methods and tools to improve outcomes and solve persistent problems

Challenge to make important choices

Enable an entirely new way of thinking
An Innovative School System

Pursuant to the *Alabama Accountability Act* 2013-64, to be considered as an innovative school system, a local school system shall successfully comply with the requirements and procedures set forth by the State Department of Education regarding school flexibility contracts.

### Innovative School System Components

**Flexibility Contract:** “A flexibility contract between the local school system and the State Board of Education wherein a local school system may apply for programmatic flexibility or budgetary flexibility, or both, from state laws, regulations, and policies, including regulations and policies promulgated by the State Board of Education and the State Department of Education.”

**Innovation Plan:** “The request of a local school system for flexibility and plan for annual accountability measures and five-year targets for all participating schools within the school system.”

The *Flexibility Contract* and the *Innovation Plan* - The Flexibility Contract sets forth the local school system’s request for relief from specific mandates in state law, regulations, and policies. In exchange for the requested flexibility, the local school system proposes an Innovation Plan to meet annual accountability benchmarks and its five-year targets.

### Flexibility Contract and Innovation Plan Requirements

**Contract Requirements:**

The proposed Innovative School System shall:

1. Submit to the Alabama State Department of Education (ALSDE) a letter of intent to pursue a flexibility contract.
2. Submit to the ALSDE a Resolution adopted by the local board supporting the intent to pursue a Flexibility Contract, the proposal, and the anticipated timeline of the local school system. (The submitted resolution indicates that an opportunity for full discussion and public input, including a public hearing, was provided before submitting a Flexibility Contract proposal to the ALSDE.)
3. Submit to the ALSDE a document of assurance stating the local board shall provide consistency in leadership and a commitment to the state standards, assessments, and academic rigor.
Innovation Plan Requirements:
The proposed Innovative School System shall:
1. Submit to the ALSDE the school year that the local school system expects the Flexibility Contract to begin.
2. Submit to the ALSDE the list of state laws, regulations, and policies that the local school system is seeking to waive in its Flexibility Contract.
3. Submit a list of schools included in the innovation plan of the local school system.
4. Submit to the ALSDE the final Innovation Plan, as recommended by the local superintendent of education and approved by the local board of education.

Upon receipt of the Innovation Plan/Flexibility Contract by the ALSDE, a letter of confirmation of receipt will be sent to the local superintendent and the process for review will begin. Within 60 days, the innovation plan will be placed on an Alabama State Board of Education work session and regular meeting agenda for discussion and final determination. The school system will receive written notification of approval or non-approval. Should the innovation/flexibility plan be denied, an outline of procedures and necessary steps to amend and resubmit will be communicated to the local superintendent.

Innovation Plan Assurances

The following are requirements that cannot be waived:

- Those imposed by federal law
- Those related to the health and safety of students or employees
- Those imposed by ethics laws
- Those imposed by open records or open meetings laws
- Those related to financial or academic reporting or transparency
- Those designed to protect the civil rights of students or employees
- Those related to the state retirement system or state health insurance plan
- Those that would compensate an employee at an annual amount that is less than the amount the employee would otherwise be afforded through the State Minimum Salary Schedule
- Those that would involuntarily remove any rights or privileges acquired by any employee under the Students First Act of 2011, Title 16, Chapter 24C, Code of Alabama 1975
- Those that would deny any right or privilege granted to a new employee pursuant to the Students First Act of 2011
- Those that would authorize the formation of a charter school

Certifying Signatures of the Local Superintendent and Local Board President

To be considered as an Innovative School System, we certify that we comply with the requirements of Act 2013-64 and procedures set forth by the Alabama State Department of Education regarding Flexibility Contract requirements and Innovation Plan requirements.

Please sign below:

Margaret J. Allen  4/28/15  
Local Superintendent  (Date)  

Melissa B. Amundsen  4/28/15  
Local Board President  (Date)
Section 1 - Applicant Information

Indicate the intended school year for implementing the Innovation/Flexibility Plan: _______

Please complete the following information:
School System Applying: ______ Montgomery Public Schools
School System Superintendent: ______ Margaret Allen
School System Contact’s Name & Title (if different than superintendent): ______ Steve Blair, Technology Specialist
Contact’s Telephone Number: ______ 334-269-3830
Contact’s E-Mail Address: ______ Steve.Blair@mps.k12.al.us

Please complete the chart below for system leaders responsible for supporting the plan (add rows as needed):

<table>
<thead>
<tr>
<th>Name of Team Member</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steve Blair</td>
<td>Technology Specialist</td>
</tr>
<tr>
<td>Kristy Hatch</td>
<td>Education Specialist</td>
</tr>
<tr>
<td>Mitzi McLaurine</td>
<td>Executive Director</td>
</tr>
<tr>
<td>LaMecha James</td>
<td>Education Specialist</td>
</tr>
<tr>
<td>Herbert McGowan</td>
<td>Technology Teacher</td>
</tr>
<tr>
<td>Scherrie Banks</td>
<td>Counselor</td>
</tr>
<tr>
<td>Mark Coleman</td>
<td>Technology Teacher</td>
</tr>
<tr>
<td>Marsha Baugh</td>
<td>Principal</td>
</tr>
<tr>
<td>Nancy Beggs</td>
<td>Interposition Officer</td>
</tr>
</tbody>
</table>

Please complete the chart below for each school involved/impacted by the plan (add rows as needed):

<table>
<thead>
<tr>
<th>Name of School</th>
<th>Principal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carver High</td>
<td>Gary Hall</td>
</tr>
<tr>
<td>Jeff Davis High</td>
<td>Bobby Abrams</td>
</tr>
<tr>
<td>Lanier High</td>
<td>Antonio Williams</td>
</tr>
<tr>
<td>Lee High</td>
<td>Lorenzo Pharrams</td>
</tr>
<tr>
<td>Park Crossing High</td>
<td></td>
</tr>
</tbody>
</table>
Section 2 - Specific Waiver Requests

Indicate the specific type(s) of policy or code that prohibit or constrain the plan from which you wish to request a waiver.

Indicate in the table below the waiver request type(s) that apply:
- **ALSDE Policy Waiver Request** (Specify memorandum, etc., outlining policy)
- **Alabama Administrative Code (AAC) Statute Waiver Request** (Specify AAC Rule No., etc.)
- **Code of Alabama 1975 Waiver Request** (Specify law, etc.)

*(Insert additional rows as needed):*

<table>
<thead>
<tr>
<th>Waiver Request Type</th>
<th>Flexibility Requested (List specific law, regulation, or policy from which relief is sought.)</th>
<th>Impact of the Waiver (What will the waiver enable the school to do differently, etc.?)</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Attendance</td>
<td>Attendance Law: AAC 290-3-1-.02(2)</td>
<td>Students will attend a pilot virtual school program</td>
</tr>
<tr>
<td></td>
<td></td>
<td>This waiver application will allow the system to award an Alabama High School Diploma without the traditional constraints regarding the # of days and hours of instruction. The Virtual School Program students will be expected to attempt at least the same number of credits per year as students enrolled in traditional school programs to stay on track for graduation.</td>
</tr>
</tbody>
</table>
Section 3 - Vision

Creative Vision for the Plan
Please describe the plan’s vision, goals, and innovative features for student success that will be addressed. Share the purpose and expected outcome for students. Also include the intended impact of the flexibility requested in the innovation plan. Include how the proposal reflects Alabama’s PLAN 2020 and/or the system’s strategic plan. If applicable, share data, best practices, and any community and stakeholder support that support the plan.

Montgomery Public Schools’ mission is to engage, educate, and inspire students to succeed in college, career and beyond. A strategy that supports the mission is that of providing varied learning options to meet the needs of a diverse student population; this strategy includes applying flexibility to the learning environment.

**Purpose:**
The purpose of the Montgomery Public Schools Virtual School Program is to provide motivated, independent learners with engaging, student-centered courses to meet the students’ educational needs in an online environment that will allow flexible, individualized learning.

**Best Practices:**
- Site visits to the Baldwin County and Pike County Virtual Schools
- Continuing discussions with the ACCESS Distance Learning Staff at the ALSDE and Troy Support Center
- Team discussed all options and tailored our program to meet our goals and purpose.

**Benefits for Students**
- Instruction from Alabama Highly Qualified teachers.
- No tuition and minimal fees.
- Accredited diploma upon satisfying all requirements for graduation.
- Flexibility and personalized learning experiences.
- Self-pacing and opportunity for accelerated advancement.
- Early graduation option upon meeting eligibility criteria.
- Flexibility to pursue interests intensively.

**Pilot Program for 2015-16 School Year**
- Maximum of 20 students
- Rising 10th and 11th grade students who are on track to graduate with their cohort.
- Must have already taken LIFE PE and Career Preparedness
- Students must be enrolled at their zoned high school
- Students will take all subject tests at the virtual school program site
- All state mandated tests will be administered at their zoned school.
- Extracurricular activities will be handled by the zoned school.
Alabama’s PLAN 20/20

The Montgomery Public Schools Virtual School Program will provide students with an additional graduation pathway that specifically addresses three areas of Alabama’s PLAN 20/20:

1) Every child a graduate – we believe that a flexible, online school is a necessary option for students who are challenged in the traditional brick and mortar setting. We currently have students with prohibitive issues that prevent them from fully participating in traditional education. We also have students for whom traditional education can be perceived as a limitation of their learning or professional potential. The Virtual School Program can provide them with the convenience of anytime, anywhere learning and the flexibility of self-pacing, which is helpful in allowing students to maintain high levels of learning while overcoming life’s challenges. In addition, many students wish to complete high school in less than four years, but are constrained by the traditional school schedule. The Virtual School Program will allow them to earn additional credits. This Program will be an essential method in providing an individualized education for our diverse population of students so they can graduate on time, or even early.

2) Every graduate prepared for college, career, and adulthood – Our Virtual School Program students will be provided an online curriculum aligned with the College and Career Ready Standards as outlined in Alabama’s PLAN 20/20. The students will be utilizing the ACCESS program for all of their remaining required courses. These ACCESS courses will be facilitated by a Montgomery Public Schools employee who has been trained in online learning strategies. Students are also allowed the opportunity to participate in career training through our Career Tech Center, MPACT, in order to prepare them for post-secondary education and entry into the global workplace allowing them to become productive citizens in society.

3) Differentiation of the typical instruction and learning models to meet the individual needs of students – Virtual School Program students will have ongoing access to support provided by the Virtual School Program staff. This may include tutoring, exam proctoring, college and career counseling, technology training, and program orientation. The staff is committed to providing students guidance in increasing their skills to become life-long learners. The students will be buttressed by a committed staff to hone their skills to determine the amount of time needed to complete daily assignments, advocate for themselves, monitor their understanding, know when to contact the staff or ACCESS teachers for additional assistance, and to stay on track with their course work.
### Aspirations, Expectations, and Communicating Outcomes

Please specify measurable goals, objectives, activities, and a timeline for meeting the identified outcomes of the plan. Please specify any alternative accountability measures/benchmarks to be put in place as a result of the flexibility requested. Share how the Innovation Plan will be monitored and evaluated, and how results will be reported. Indicate how the impact on increasing student success and/or other stated goals and objectives will be shared within your school system and beyond (e.g., students, teachers, parents, community, MEGA, CLAS). Share how implementation of this Innovation Plan will be sustained by current leadership.

<table>
<thead>
<tr>
<th>Measurable goals, objectives, activities, and timeline:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Students will maintain a 95% attendance rate. This will be measured daily, beginning August 13, 2015. Attendance will be registered when the student logs into the ACCESS system. If a student is “absent”, they will be contacted by the Virtual School Program teacher. Students not meeting this attendance goal will communicate with the teacher to develop an attendance intervention, which may include a requirement for the student to report to the program site. Students who continue to not attend will be required to return to their traditional school setting.</td>
</tr>
<tr>
<td>• Students will maintain a 2.0 GPA. The Virtual School Program teacher will collaborate with each student to develop an individualized academic plan to include learning strategies and a structure for successful completion of each course. Students will access their digital content for remediation and enrichment. Volunteer tutors will also be provided through an agreement with local universities for students who may struggle in core areas. As needed, the students will also communicate needs to their ACCESS teacher for academic support. The teacher will monitor the grades weekly beginning August 2015.</td>
</tr>
<tr>
<td>• Students will progress through courses (at a minimum) at the standard rate as dictated by the ACCESS teacher. The students may progress ahead of schedule, but at a minimum, must meet the deadlines as set by the ACCESS teacher. If the student works ahead of schedule, they may begin the next sequenced course or elective course. The Virtual School Program teacher will collaborate with each student to develop an individualized academic plan to include learning strategies and a structure for successful completion of each course. Deadlines will be monitored weekly beginning August 2015.</td>
</tr>
</tbody>
</table>

### Monitoring and Evaluation of program:

The Virtual School Program staff will include a principal, counselors, and a teacher. The staff will support student learning and monitor student progress. That staff will be located at the Virtual School Program site, where parent/student orientation, counseling, guidance, tutoring, proctored examinations, virtual instruction, and state assessments will take place. Attendance will be monitored daily and course progress and success will be monitored weekly. Attendance, grades, and state mandated scores will be recorded and reports will be recorded in accordance with district, state, and federal policies.

The staff will be responsible for all school accountability measures mandated by the state and federal authorities. Accountability data indicating student attendance and achievement as measured by Quality Core, PLAN, ACT, WorkKeys, and Advanced Placement will be reported to the ALSDE and/or local school board.

Monthly meetings with the principal and his/her staff will assess student and teacher progress toward academic goals. The Central Support Team will meet monthly (as a Tier I support school) to discuss
progress toward short and long term targets. Data from these monthly analyses will guide mid-year implementation corrections. The Montgomery Public Schools Board of Education will receive an annual report that is shared with the parents and community members.

**Sustainability:**
Once the initial implementation is complete, the Montgomery Public Schools Virtual School Program is designed to be sustainable:

- Using local district funds to provide adequate resources to develop an appropriate environment for acceleration.
- Through the development of post-secondary and community partnerships, as well as corporate funding.
- Through community outreach to educate and recruit students to increase enrollment and ensure student success.

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**Section 5 - Assurances, Documentation, Submission**

**Flexibility and Innovation Plan Submission Requirements**
In order to assure that the application is complete, verify that:

- All assurances, documents, resolutions, and certifying signatures, or any other requirement as specified in the *Alabama Accountability Act* 2013-64, and any outlined within the application, are included (pages 2 and 3, *An Innovative School System*).
- Specific waiver requests for relief from rules, policies, code, etc., have been included (page 5, *Specific Waiver Requests*).
- The innovation plan reflects the vision and goals of Alabama PLAN 2020 and/or the school system strategic plan (page 5, *Waiver Summary*).
- Any data collected or disseminated does not violate the privacy rights of any student or employee.

**Submitting the Innovation Plan:**
- It is requested that the Innovation Plan/Flexibility Contract be submitted electronically. The superintendent will receive a letter confirming the date of receipt of the Innovation Plan. Within 60 days, the approval or non-approval status will be communicated to the local superintendent.
- Communication and collaboration during the process is welcomed and encouraged. All questions regarding the Innovation Plan/Flexibility Waiver should be directed to Mrs. Karen Porter (*kporter@alsde.edu* or 334-242-8154).