



Georgia Department of Audits and Accounts Performance Audit Division

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Why we did this review

The Remedial Education Program (REP) was established in 1985 to provide instructional services to students who perform below grade level. We conducted this performance audit to examine the cost of REP and whether the funding aligns with the intent of the Quality Basic Education (QBE) funding formula. In addition, we determined which students are served in REP. We also reviewed the extent to which REP instructional services align with best practices.

About the Remedial Education Program

As the agency that oversees K-12 education in the state, the Georgia Department of Education (GaDOE) oversees the Remedial Education Program. REP is one of 18 instructional programs funded by the state's Quality Basic Education (QBE) funding formula. Students in grades 6 through 12 who meet eligibility requirements specified in state law receive individualized basic skills instruction in reading, writing, or mathematics.

In fiscal year 2020, approximately 31,000 full-time equivalents were served in REP, generating approximately \$164 million, or 2% of total QBE earnings.

Remedial Education Program

Evaluation of effectiveness needed, improvements necessary to ensure best practices

What we found

Although the Georgia Department of Education's (GaDOE) Remedial Education Program (REP) has existed for nearly 40 years, its impact on students has only been evaluated once in 2005. With the statewide adoption of system flexibility waivers in fiscal year 2016, school systems have more discretion in how they implement REP; however, the impact of these changes on REP student outcomes is unknown. While an evaluation of its effectiveness is necessary, we also identified multiple opportunities for operational improvements.

Under system flexibility, REP implementation has diverged from best practices and the funding formula intent.

REP funding is based on a student to teacher ratio of 15 to 1, which is smaller than middle school (20 to 1) and high school (23 to 1) funding ratios. This is to help ensure smaller class sizes, which research has shown to be important for improving student achievement. However, system flexibility allows systems to waive this requirement, and we found that systems often exceeded recommended maximum class sizes based on the delivery model selected. Systems receive the higher funding for REP regardless of their class size, which is particularly important given that waivers also allow systems to utilize REP funds in other programs.

Additionally, system flexibility allows systems to waive teacher certification requirements. As a result, we identified systems that have not always employed certified teachers, though studies show this also improves student performance. In the last academic year, for example, approximately 10% of REP math teachers and 18% of REP English teachers were not subject-certified.

GaDOE should take additional steps to manage REP and support school systems.

GaDOE has provided minimal direct oversight of REP. For example, despite a requirement in state law and the availability of data, GaDOE has not evaluated REP student outcomes since 2005. Additionally, in contrast to guidance for other QBE-funded instructional programs, GaDOE does not provide information on exit criteria, professional development, and other resources in the REP guidelines. Lastly, GaDOE does not have a dedicated staff member who provides additional support and oversight of systems' REP efforts, unlike some other instructional programs.

We found that without criteria, systems have taken various approaches to exiting students from REP, which has created inconsistencies. Approximately 24% of students who performed on grade level in fiscal year 2018 remained in REP in fiscal year 2019, while approximately 40% of students who performed below grade level were exited from REP, though there may be valid reasons for why this occurred.

According to GaDOE guidelines, REP is part of the MTSS framework, which integrates academic and behavioral supports for students. However, GaDOE has not provided consistent guidance on how to formally implement the multi-tiered system of supports (MTSS) framework.

Some systems are unable to fully access REP funding.

Unlike other QBE-funded instructional programs, REP has a funding cap. Under the cap, funding for REP full-time equivalents (FTEs) cannot exceed 35% of the total FTEs for middle and high school when more than half of FTEs qualify for free and reduced-priced lunch. In fiscal year 2019, 64 FTEs across seven rural, less wealthy systems were not funded because of the funding cap. Without the cap, it would have cost the state approximately \$50,000 in additional funding to fully fund remedial programs in the seven systems. These systems' inability to receive full funding for the FTEs they serve poses unequal access to state funding intended for the REP student population.

We also found five systems across the state serve students performing below grade level through a variety of support services such as summer school and tutoring, but do not participate in REP. Among other reasons, the funding class size of 15 students has prevented some of these systems from participating, which also creates unequal access to REP funding. We estimate that QBE earnings could increase by approximately \$2.5 million if all five systems were to participate in REP.

What we recommend

GaDOE should evaluate the effectiveness of REP on student outcomes and determine whether REP should continue in its current form. Notwithstanding the evaluation, GaDOE should take additional steps to manage the program, including updating guidelines to include exit criteria and dedicating a staff member who can provide more support to school systems' remedial programs. In addition, GaDOE should periodically review and evaluate systems' REP services to determine whether they are aligned with best practices and/or the intent of REP. To ensure REP funding is accessible to all systems and schools, the General Assembly should reconsider the funding cap and the minimum class size requirement.

See [Appendix A](#) for a detailed listing of recommendations.

Agency Response: GaDOE generally agreed with the findings in the report. Specific responses are included at the end of each relevant finding.

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Purpose of the Audit

This report examines the Georgia Department of Education’s (GaDOE) Remedial Education Program (REP). Specifically, the audit set out to determine the following:

1. How is funding for REP determined and how much does REP cost the state? Does funding for REP meet the intent of the QBE formula?
2. How are students served in REP?
3. Are REP services consistent with best practices?

A description of the objectives, scope, and methodology used in this review is included in [Appendix B](#). A draft of the report was provided to GaDOE for its review, and pertinent responses were incorporated into the report.

Background

The Georgia Department of Education (GaDOE) is the state agency responsible for overseeing K-12 public education, which is administered by county and city school systems and charter schools. GaDOE also oversees local systems’ reporting of student enrollment data, which GaDOE uses to prepare funding allocations.

All school systems receive most of their state funding through the Quality Basic Education (QBE) funding formula. The main component of the formula is the “base earnings” calculation that provides a foundation level of funding based on the number of full-time equivalent (FTE)¹ students. Each school system’s FTEs are multiplied by a base amount and a program weight. The base amount (\$2,784 in fiscal year 2020) represents the funding provided for one FTE in the Grades 9-12 program, the least expensive program. Each instructional program has a specific funding weight, ranging from \$2,784 (high school grade 6-12) to \$16,328 (category IV special ed).

Remedial Education Program Description

Established in 1985, the Remedial Education Program (REP) is one of 18 instructional programs that is funded by the QBE funding formula (for list of QBE-funded instructional programs, see [Appendix C](#)). REP provides QBE funds to support students who perform below grade level. When REP was first established, the program served students in grades 2 through 5² and grades 9 through 12; since 2006, REP has served students in grades 6 through 12.

According to O.C.G.A § 20-2-154, eligible students must be provided REP services. To be eligible, a student must meet two or more of the following criteria:

- Has been through the formal student support team³ process and has documented evidence to support placement in remedial;

The Remedial Education Program provides individualized basic skills instruction for students in grades 6-12 with identified deficiencies in reading, writing or mathematics.

¹ An FTE is equal to six instructional segments. An instructional segment is the service provided to a student during one-sixth of an academic day.

² Students in these grades are now served in the Early Intervention Program.

³ The student support team (SST) is composed of school administrators and teachers who can refer students for evaluation for special education consideration. While membership of the SST typically varies from school to school, every public school in Georgia is required to have a SST.

- Has failed a language arts or mathematics course in grades 6-12;
- Is receiving services under Title I, Part A⁴;
- Has been recommended by the teacher who has documented the student's low performance in mathematics or reading;
- Has a standardized test score at or below the 25th percentile in reading, writing, or mathematics; or
- Receives special education services but the individualized education plan is not designed to address reading, mathematics, or writing deficiencies.

Students identified as eligible for REP receive instructional support for reading and writing (referred to in this report as English Language Arts, or ELA), as well as math, depending on their need. While this may occur in a variety of ways, GaDOE's REP guidelines recommend using state-certified teachers (and a paraprofessional if necessary) as well as wraparound services.⁵ In addition, REP guidelines recommend the following classroom delivery models:

- **Reduced class size model** – Under this model, the class consists of only REP students. If no paraprofessional is present, 18 REP students are allowed in a class; this increases to 24 with a paraprofessional. It should be noted that the data we reviewed demonstrated that a paraprofessional is rarely present.
- **Augmented class model** – Under this model, classes contain both REP and general education students. They allow for no more than 15 REP students, but there are no limits on total class sizes.
- **Parallel block scheduling** – Under this model, 15 or fewer REP students receive instruction from a state-certified teacher during one-hour of the two-hour block.
- **Summer remediation** – This model can only be used at the middle school level and does not have specified class size requirements.

Students Served in REP

In fiscal year 2019, approximately 164,000 of the nearly 919,000 middle and high school students (18%) were served through REP by 176 systems (and 17 charter schools). As we discuss on page 25, five systems do not participate in REP. As shown in Exhibit I, the students served in REP in fiscal year 2019 had the following characteristics:

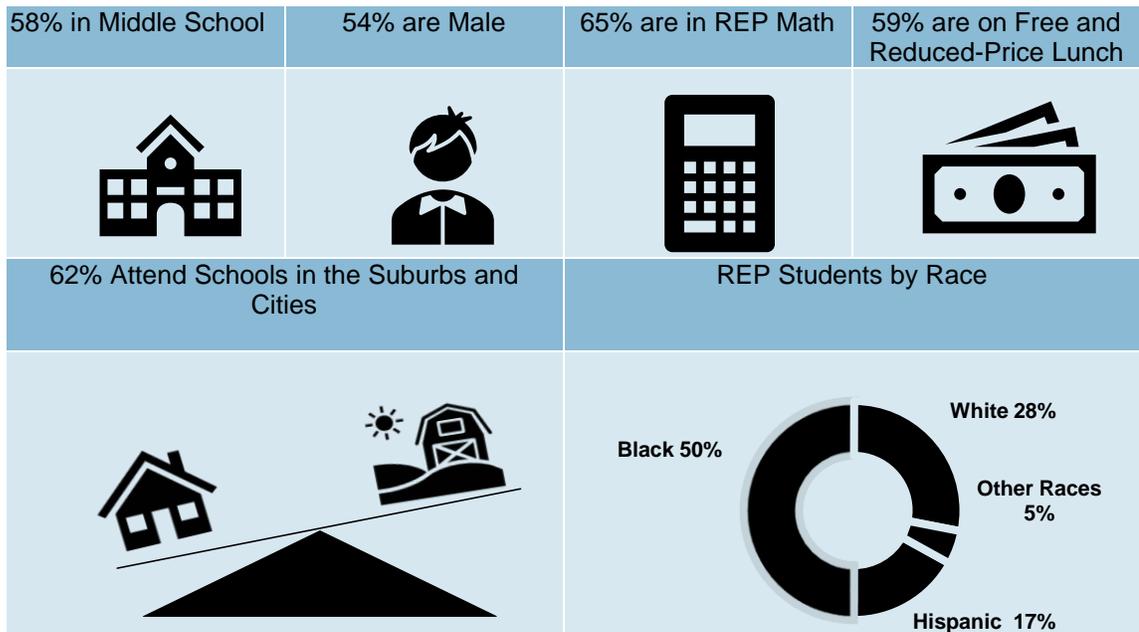
- Nearly 60% of REP students (96,132) received free and reduced-price lunch, compared to 68% of students statewide.
- Nearly 60% of REP students (94,584) were in middle school; high school participation decreased with every grade level.

⁴ Title I, Part A (Improving the Academic Achievement of the Disadvantaged) provides federal funds to local education agencies with high numbers or percentages of children from low-income families. These funds may be used for children from preschool to high school.

⁵ Wraparound services refer to supplemental services that address students' non-academic needs (such as the multi-tiered system of supports that is discussed in Finding 4). Georgia's implementation of MTSS is titled "Georgia's Tiered Systems of Support." In this report, we use MTSS interchangeably with Georgia's Tiered Systems of Support.

- In middle school, REP students were more likely to need assistance for ELA, while high school REP was more common for math.
- Approximately 42% (69,000) were from suburban systems, while 29% (49,000) were from rural systems.⁶ Systems with the most REP students were large suburban districts: Cobb, Fulton, and DeKalb counties. Together, these systems served nearly 24% (40,000) of all REP students.
- Approximately 50% of REP students were Black, 28% were White, and 17% were Hispanic. In contrast, 37% of all students statewide were Black, 39% were White, and 16% were Hispanic.

**Exhibit 1
More than Half of REP Students in FY 2019 Were Male and in Middle School**

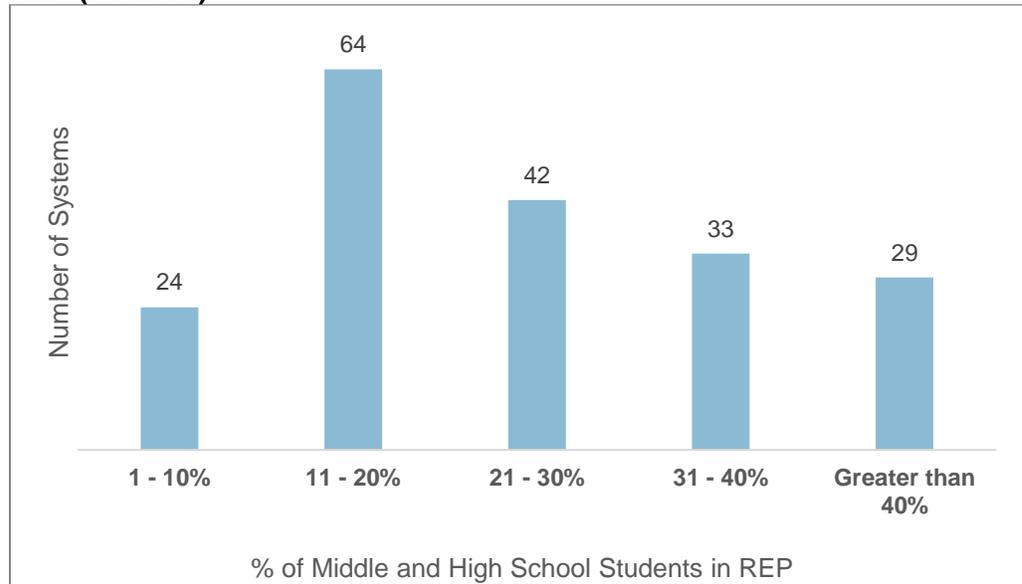


Source: DOAA analysis of GaDOE student data

By system, the number served ranged from 2 to 22,000 students and averaged approximately 860 students per system; 48 systems served more than the average number of students in REP. In 62 systems, more than 30% of the middle and high school population was in REP (See Exhibit 2).

⁶ The locale classification comes from the U.S. Census Bureau and is used by the U.S. Department of Education.

Exhibit 2 62 Systems Have More than 30% of Middle and High School Students in REP (FY 2019)



Source: DOAA analysis of GaDOE student record data

Funding REP

QBE earnings for REP and other instructional programs are determined by the number of students served, which is measured by the FTE count.⁷ According to O.C.G.A. § 20-2-154, systems can earn QBE funding for schools' REP FTEs based on the percentage of the student population on free and reduced-price lunch.

- When less than 50% of the student population receives free and reduced-price lunch, the school will receive REP funds for up to 25% of the school's FTE population.
- When a school's population of students receiving free or reduced-price lunch is above 50%, State Board of Education rules allow QBE funding for REP up to 35% of the total FTEs.

The funding class size is also the minimum class size requirement because it is the minimum number of students needed to earn full funding for the teacher in the class.

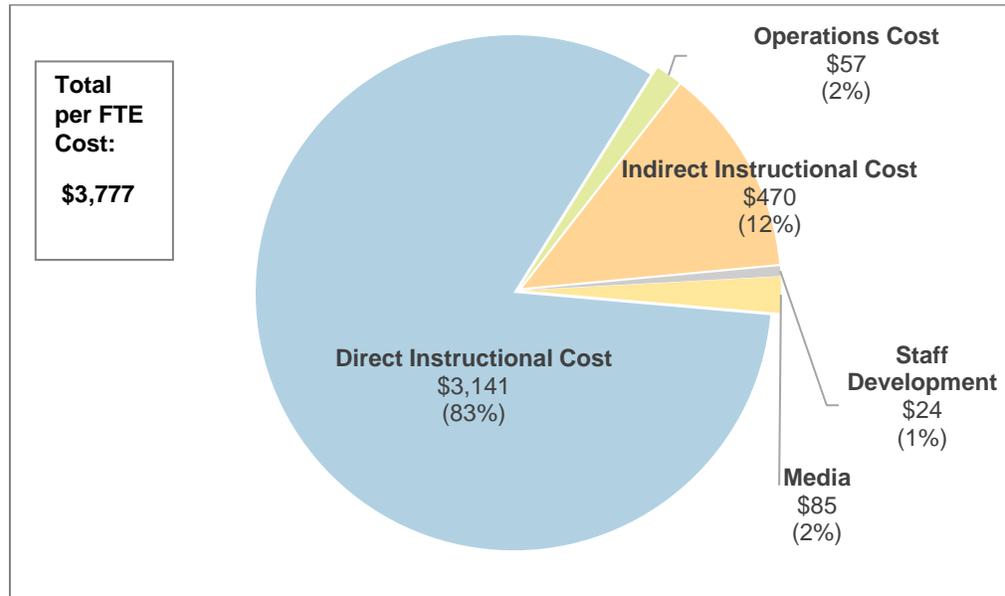
Additionally, the funding class size is 15 students, which is the minimum class size needed to earn state QBE funds for the class. As discussed below, maximum class size requirements can be waived under system flexibility, but the funding class size cannot. It should be noted that the funding class size for general education program is 20 students for middle school and 23 students for high school. Both programs are funded at lower program weights than REP.

The per FTE earnings for REP was \$3,777 in fiscal year 2020. This represents an additional \$993 more than the per FTE earnings for high school and \$610 more than

⁷ O.C.G.A. § 20-2-160 requires local school systems to report their segments and FTE counts to GaDOE on the first Tuesday in October and the first Thursday in March. The final FTE count used for the current year's amended budget is an average of the last two FTE counts. For a school to receive FTE funding for instructional segments, the student must be regularly scheduled for service or program instruction on the day of the count and should have been present for at least one of the 10 days prior to count day.

the per FTE amount for middle school. Like all QBE-funded programs, REP's per FTE earnings are based on five cost categories, with direct instructional cost (e.g., teacher salaries, instructional materials) comprising 83% of the total per FTE earnings (see Exhibit 3). Indirect instructional costs, such as administration and facility costs, comprise about 12% of total per FTE earnings.

Exhibit 3
Most REP Costs are for Direct Instruction, FY 2020



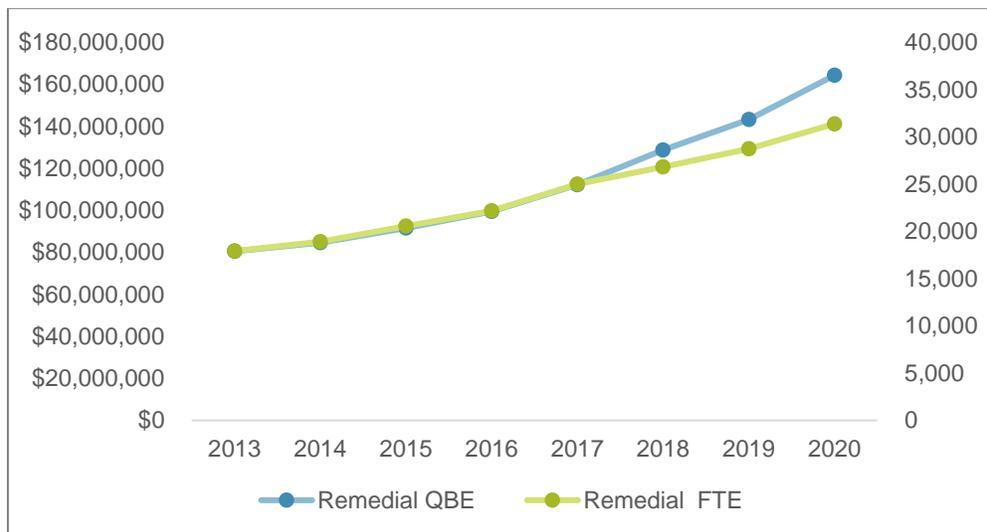
Source: GaDOE FTE weights and allotment sheet

In fiscal year 2020, QBE earnings for REP were approximately \$164 million, which represents approximately 2% of the \$9.6 billion in total QBE earnings (see [Appendix C](#) for all QBE programs and their total earnings). As shown in [Exhibit 4](#), REP earnings have increased by 66% and REP FTEs have increased by 41% since fiscal year 2016.⁸ It should be noted that these changes coincide with the statewide adoption of system flexibility, as discussed on page 6. The increase in REP earnings can also be attributed to the end of austerity cuts in fiscal year 2019 and increases in teacher salaries and benefits in fiscal year 2020 (which contributed to increases in QBE funding across all instructional programs).⁹

⁸ While the QBE funding formula dictates how much in-state funding a school system can earn (i.e. QBE earnings) based on the instructional services it provides, the final amount of state funding received by a school system to fund the services is determined by subtracting the local share from QBE earnings.

⁹ Under austerity, calculated QBE earnings were reduced by austerity cuts to determine a final allotment amount. During austerity, funding cuts totaled approximately \$9 billion. Additionally, the General Assembly approved a \$3,000 pay raise for all certified employees (equal to nearly 9% of the base teacher salary), which took effect in the 2019-2020 school year.

Exhibit 4
REP Earnings Have Increased By 66%, While REP FTEs Have Increased By 41% Between FY 2016 and FY 2020



Source: GaDOE QBE allotment sheets

In addition to state QBE earnings,¹⁰ school systems can use additional local, and federal funds to support REP students and services.

- **Local Five Mills Share** – This represents the local contribution required for school systems to participate in QBE. O.C.G.A § 20-2-164 defines the local five mills share as based on the most recent equalized adjusted school property tax digest for the system. In fiscal year 2020, the total amount of the local five mills share for REP was approximately \$30.9 million.
- **Title I, Part A** – Federal funds are provided to school systems to improve the academic achievement of disadvantaged students and are based on the level of poverty in attendance areas. Title I funds are meant to supplement but not supplant state and local funds. In fiscal year 2020, Georgia received approximately \$495.9 million in Title I, Part A funding.

System Flexibility

In June 2015, every school system in Georgia was required to decide whether it would remain a Title 20 system or become a charter system or strategic waiver system¹¹. Charter systems and strategic waiver systems have varying degrees of flexibility to deviate from certain state laws and regulations related to academic programs, human resources, and finance. Charter systems are granted blanket waivers from most of Georgia's education law, while strategic waiver systems receive exemptions from specific requirements. Title 20 systems are granted no waivers and must abide by all Title 20 requirements (i.e. state education law).

¹⁰ Systems can also use earnings from other instructional programs, the equalization grant, and 20 days of additional instruction supplement to support services for REP students.

¹¹ School system flexibility options were first authorized in 2007 but expanded statewide in 2015.

Under system flexibility, strategic waiver and charter systems can waive most REP program requirements, including class size, teacher certifications, and scheduling models. However, funding class size, student eligibility criteria, and school population eligibility are not covered in the waivers under system flexibility.

As of fiscal year 2020, 130 systems operate as strategic waiver systems, while 48 are charter systems (for the full list of systems, see [Appendix D](#)). Two systems (Buford City and Webster) remain Title 20 systems.

Findings and Recommendations

Finding 1: Due to changes from system flexibility, the effectiveness of REP should be evaluated to determine whether the program should continue in its current form.

REP has been in effect for nearly 40 years; however, its effectiveness is largely unknown. Since fiscal year 2016, system flexibility waivers have resulted in less fidelity to the program, even as QBE funds have increased. Best practices suggest and other states have selected alternate methods to serve students who are performing below grade level. To determine the effectiveness of REP as it currently operates, an evaluation of student outcomes is necessary.

REP was created in 1985 to support students who perform below grade level, specifically through a higher QBE program weight that accounts for a smaller teacher-student ratio (1:15) that the state determined was necessary to address these students' specialized needs. However, certain waivers allowed under system flexibility have resulted in implementation that diverges from the original intent of the program, as described below.

- **Class size waivers** – These waivers allow systems to exceed maximum class sizes established in GaDOE regulations for REP. As a result, systems receive additional funding for their REP FTEs even when they do not provide smaller teacher-student ratios, which the higher funding is intended to ensure. In fiscal year 2019, REP classes averaged 20 REP students (with generally one teacher), as described in Finding 3.
- **Categorical allotment waivers** – These waivers allow systems to use earnings from REP to support other QBE-funded instructional programs, making it difficult to tie earnings to services. While the extent of this is unknown, the use of this waiver presents a risk that REP students are not being served with the totality of funds made available through higher program weights. Additionally, other financial waivers may have impacted how systems spend REP earnings (for a list of all system flexibility waivers, see [Appendix E](#)).
- **Program requirement waivers** – Systems can waive program requirements, which include delivery models and instructional time. This provides systems the discretion over which programs are used to teach remedial classes, and some strategies may be more evidence-based than others (see Finding 3). Additionally, a lack of statewide guidance has resulted in varying degrees of fidelity in implementing the federal multi-tiered system of support along with REP (see Finding 4).

While waivers provided under system flexibility are intended to provide systems additional autonomy over how services to various populations (including REP) will be delivered and funded, it also poses a risk to the state's and systems' assurance that the REP population is being effectively served. Concerns over this risk can be mitigated when student outcomes are shown to be improving because of (or despite) these changes. However, REP student outcomes are unknown because GaDOE has not performed an evaluation on this population since 2005 (see Finding 2).

While a report of student outcomes would provide valuable information, a more robust longitudinal study is needed to fully investigate REP's effectiveness. Such a study should involve different cohorts and analyses across multiple variables to account for variances resulting from system flexibility waivers (e.g. class size).¹² The study would also need to control for varying service delivery models, populations served, and attendance. Based on the evaluation's results, it may be necessary to reassess REP's regulations, the waivers permitted, and/or how REP is funded.¹³

This performance audit was limited to how REP is implemented, and as discussed in the subsequent findings, legal requirements and minimal state-level guidance and oversight pose risks to REP's effectiveness in its current form. In reviewing data on students who participated in REP during fiscal years 2018-2019, we found indicators that raise questions about the program's effectiveness:

- Of the 38,000 students in 12th grade in fiscal year 2019 who had at least one segment of REP during grades 6 through 12, approximately 48% (18,328) had two or more consecutive years of REP. About 4,000 students (10%) received remedial instruction for four or more consecutive years.
- In fiscal year 2019, approximately 12% of students failed a REP ELA class (7,634 of 61,110) and 17% failed a REP math class (12,969 of 78,263).
- Approximately 24% of students who performed at grade level in an ELA or math remedial class in fiscal year 2018 stayed in REP in fiscal year 2019.¹⁴

Finally, it should be noted that while other states¹⁵ we reviewed generally serve similar types of students, they emphasize identifying the need for additional support before academic performance problems emerge. This is often done by serving those at risk of low performance based on economic indicators (multiple studies indicate that there is a correlation between economic status and academic performance).

RECOMMENDATIONS

1. GaDOE should evaluate the effectiveness of REP on student outcomes, which may require additional expertise to design evaluation methods and inform data collection. Based on the outcome of the evaluation, GaDOE—in consultation with the General Assembly—should determine whether REP should continue to be provided and funded in its current form.
2. Notwithstanding the evaluation, the recommendations included in the findings that follow should be addressed.

¹² While a 2020 study conducted by the Regional Educational Laboratory Southeast examined overall outcomes from system flexibility, we recommend a study that focuses on student achievement outcomes for the REP student population.

¹³ In a 2012 study, the State Education Finance Commission explored several alternatives to the QBE funding formula, which included a proposal to provide funding based on the number of at-risk students. We note that such at-risk students would overlap with the students who are currently served in REP.

¹⁴ This represents 639 of the 2,816 REP students who performed at grade level for ELA and 895 of 3,665 REP students who performed at grade level in math, based on the class grade and assessment score.

¹⁵ The other states we reviewed were selected based on whether they had programs similar to REP. These states include Alabama, Florida, Kentucky, Louisiana, Mississippi, New York, North Carolina, South Carolina, Tennessee, Utah, and Virginia.

Agency Response: GaDOE indicated that its Curriculum and Instruction office conducted a limited scope analysis in 2017 of whether EIP students were more likely to go into REP and whether EIP and REP students go into special education. Further, it also indicated that these analyses “do not offer a robust evaluation” of the REP program and that there is no routine program evaluation due to lack of capacity. To conduct a formal evaluation, GaDOE indicated that it would have to request funding for additional staff with training in project management, research and statistics, and program evaluation.

Finding 2: GaDOE should take additional steps to manage REP.

Compared to other instructional programs, GaDOE’s management of REP is limited. Despite the statutory requirement for an annual evaluation, GaDOE has not reviewed REP since 2005. Additionally, GaDOE does not provide systems guidance on topics such as professional development and other resources. Lastly, compared to other instructional programs, GaDOE provides little direct oversight of REP.

GaDOE oversees all QBE-funded instructional programs and works with systems to support effective research-based standards and strategies for teaching and learning. In addition to providing guidance, GaDOE is responsible for monitoring and tracking information related to curriculum and instruction, as well as conducting outreach and evaluations. However, as described below, GaDOE could do more to improve its management of REP.

Program Evaluation

According to O.C.G.A §20-2-154 and board regulations, GaDOE must annually evaluate REP using data submitted by local school systems during the student record collection process. Regulations state the evaluation must include the following minimum components:

- For students in grades 6-12, a report of REP students’ Georgia Milestones end-of-course test scores and the percentage of REP students whose reading status is “At or Above Grade Level.”
- For students in grades 9-12 who are not enrolled in a course associated with a Georgia Milestones end-of-course test, a report of the number and percentage of REP students who passed a system-made test in reading, writing, or mathematics.

Despite this requirement and the availability of data, GaDOE has only evaluated REP once in 2005. Conducted by GaDOE’s Policy Division, the evaluation analyzed student outcomes from REP based on test scores and class grades and concluded that students demonstrated higher pass rates after participating in REP. However, this evaluation was performed prior to the major changes that occurred with the statewide implementation of system flexibility in June 2015, and the impact of those changes on REP student outcomes is unknown. GaDOE staff indicated that a subsequent evaluation has not been conducted due to limited resources.

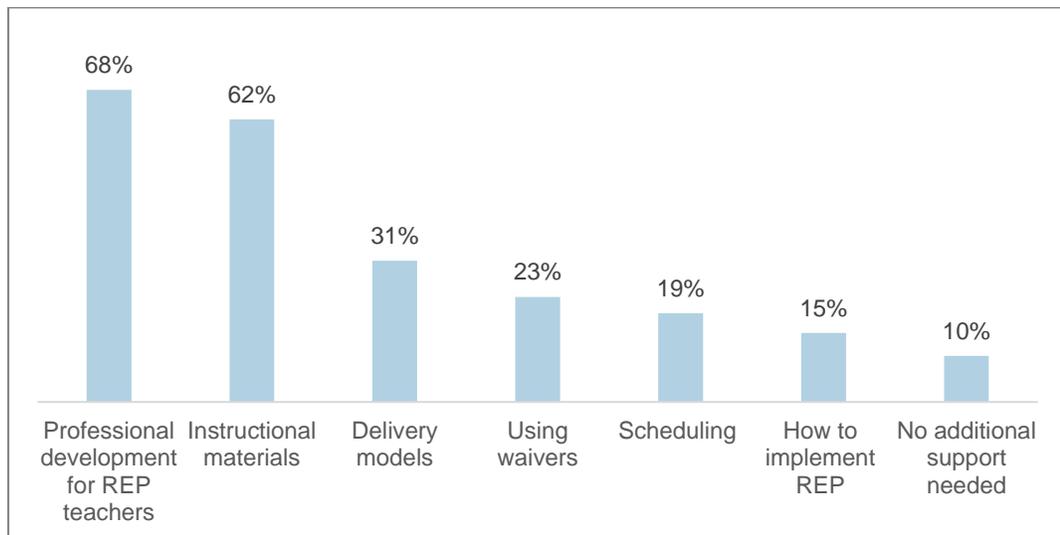
Program Guidance

GaDOE provides guidelines for instructional programs, including REP. For example, as discussed in the finding on page 20, the QBE-funded Early Intervention Program (EIP) and English to Speakers of Other Languages (ESOL) programs both provide guidance to local systems regarding exit criteria. Additionally, the Gifted program provides guidance regarding relevant professional development organizations and instructional materials.

Currently, GaDOE provides REP guidance related to eligibility criteria, the eligibility cap on schools, delivery models, and class size. However, unlike other QBE-funded instructional programs, the GaDOE does not provide guidance on topics such as exit criteria, relevant professional development organizations, or other resources for the remedial program.

Without additional guidance provided by GaDOE, systems are left with minimal support when implementing REP. As shown in Exhibit 5, survey results indicate that some systems would like more support in areas such as waiver usage, REP implementation, scheduling, and delivery models. In particular, approximately 68% of those surveyed stated they would like more professional development for REP teachers, and a similar percentage stated they would like more assistance with identifying instructional materials. GaDOE indicated that it does not recommend instructional materials for programs following a 2016 revision in state law.

Exhibit 5 Most Systems Indicated a Need for More REP Support¹



¹ Based on the responses of 139 systems
Source: DOAA survey of school systems

Program Manager

Most QBE programs are overseen by a program manager or program specialist. For example, the Gifted program manager works with school districts to implement gifted guidelines, informs districts about professional development opportunities and new research related to gifted education, and oversees an evaluation of each districts' Gifted program every three years. A program manager and two program specialists

provide support for ESOL, while a program specialist for EIP updates the guidelines and answers questions received from school systems.

By contrast, REP has not been overseen by a program manager since 2015. Currently, the Associate Superintendent of Curriculum and Instruction acts as the remedial program manager. Their responsibilities include updating REP guidance documents on the GaDOE website and responding to questions from systems regarding the remedial program, in addition to their other duties. However, these duties are largely reactive, and GaDOE staff indicated that questions from systems are rarely received.

According to GaDOE staff, budgetary constraints prevent it from hiring a program manager. Additionally, staff stated that it is unclear what the role of a program manager would be because most REP guidelines can be waived due to system flexibility. It should be noted that system flexibility also waives guidelines in other QBE programs, such as EIP, that are overseen by a program manager or specialist. A program manager (or similar position) could evaluate systems' remedial programs, work with systems to implement REP, and help address areas where additional guidance may be needed, such as professional development and other sources.

RECOMMENDATIONS

1. In addition to the outcome study discussed in finding 1, GaDOE should evaluate REP as required by state law and use the results to determine whether program improvements are needed.
2. GaDOE should develop and disseminate additional guidance related to REP, including guidance on topics such as exit criteria, professional development, and other resources, as it does for the Gifted and EIP programs.
3. GaDOE should consider dedicating staff to provide additional support and oversight of systems' REP efforts, as it provides for the Gifted, ESOL, and EIP programs.

Agency Response: GaDOE indicated that an “evaluation could show the efficacy and efficiency of REP” and help it determine how best to support local systems in implementing the program. As noted above, GaDOE indicated that it would have to “request funding for additional staff with training in project management, research and statistics, and program evaluation to conduct a formal evaluation of REP.”

DOAA Response: While necessary, the evaluation does not need to occur prior to GaDOE taking action to make recommended improvements to the program.

Finding 3: Local school systems can serve REP students in a variety of ways. While most systems provide services that align with best practices or GaDOE guidance, some do not.

REP guidelines related to smaller class size and teacher certifications are aligned with best practice guidance; however, system flexibility allows systems to waive these within their REP programs. Although GaDOE collects data regarding class sizes and

teacher certifications, GaDOE does not utilize this data to understand how REP students are served. We found some systems with classes that significantly exceed recommended sizes and a small percentage of REP teachers who do not have certifications.¹⁶ Additionally, based on survey responses, some systems may serve students in ways that are not specified in the GaDOE guidelines.

For all instructional programs, the base funding amount assumes teachers possess the minimum state certification. In addition, REP provides more funds to school systems than general education classes with the expectation that instruction will be provided through smaller class sizes. As described below, this does not always occur, which means that the state cannot be certain that the additional funding for REP is achieving its purpose.

Class Sizes

While QBE funding is based on a teacher to student ratio of 1 to 15, REP guidelines provide different maximum class sizes depending on the delivery model systems select. Depending on the model selected (see description on page 2), class sizes with a single teacher (i.e. reduced class size model) may range from 15 to 18, while augmented class models can have a maximum of 15 REP students (but there is no maximum on the total number of students). It should be noted that systems do not have to specify which model they use, and maximum class sizes can be waived under system flexibility. Approximately 99% of strategic waiver systems and all charter systems have a class size waiver.

Research indicates that smaller classes are better for students because they foster higher levels of student engagement and increased time on tasks, as well as help teachers better tailor instruction for students. One study using nationally representative data found that smaller class sizes in 8th grade improved student engagement, which persisted for up to two years. Additionally, a study using data from New Jersey found that middle school class size reductions led to an increase in student achievement. Small classes have also been found to assist in closing the achievement gap among racial groups, allow for early identification of learning disabilities, improve high school graduation rates, and improve student behavior.

GaDOE does not currently track delivery models to assess the extent to which class size guidelines are followed. We were able to deduce the delivery model based on the student composition of the class. We counted all students in classes with only REP students as reduced size classes and students in classes with a mix of REP and other students as augmented classes.¹⁷

Statewide averages for class size in 2019 were close to what is recommended in GaDOE's guidelines. The number of REP students in reduced size classes averaged 20 students (two more than the recommended 18), while augmented classes averaged 11 REP students to a class (four fewer than the recommended 15). It should be noted that GaDOE guidelines do not recommend a limit on the total number of students in

*In the **augmented class model**, a REP augmented teacher works in the same classroom with the regular teacher and provides instruction for 50-60 minutes per segment a day.*

¹⁶ For charter systems and strategic waiver systems that have waived class size and teacher certification requirements, these are recommendations. However, for two Title 20 systems, these are requirements.

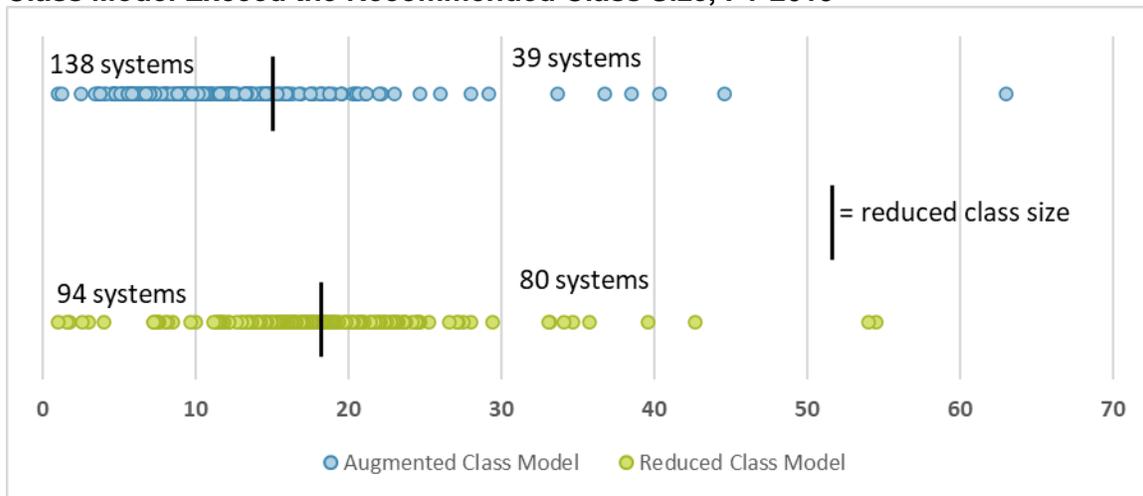
¹⁷ The count for augmented classes likely includes classes that fall under the parallel block scheduling model which has the same class size requirements as augmented classes.

augmented classes, which averaged 29 in 2019. As noted in the text box, augmented classes have two teachers in the classroom.

However, as shown in Exhibit 6, 81 systems' reduced class size averages exceeded the recommended 18 REP students (46% of the 175 systems using that model). Of the 81 systems that exceeded the recommended class size, 22 systems had class size averages exceeding 24 students; while this may be allowed if a paraprofessional is present, few systems use paraprofessionals in reduced size classes. Of approximately 10,000 reduced size REP classes taught in fiscal year 2019, nearly 5,000 classes (approximately 50%) in 148 systems had more than 18 REP students, and about 2,300 classes (23%) in 112 systems had more than 24 REP students.¹⁸

Additionally, of the 177 systems using the augmented class model, 39 (22%) had class size averages that exceeded 15 REP students. Of approximately 17,000 augmented REP classes taught in fiscal year 2019, about 4,000 classes (24%) in 140 systems had more than 15 REP students.¹⁹ Systems we interviewed indicated they generally try to adhere to the state's guidelines, but they often face staffing constraints.

Exhibit 6
81 Systems Using the Reduced Class Model and 39 Systems Using the Augmented Class Model Exceed the Recommended Class Size, FY 2019



Source: DOAA analysis of GaDOE student class data

Some systems had class sizes that significantly exceeded the recommended guidelines. In particular, the Georgia Cyber Academy (a virtual charter school) had 55 REP students in a reduced class size model and 45 REP students in an augmented class model. These class sizes may result from the fact that the classes are offered in a virtual setting, which the REP guidelines do not address. Additionally, Dublin City had 54 students in a reduced class size model and 63 students in an augmented class model. It is unclear why this occurred.

¹⁸ Approximately 4% (203 out of 5,039) of reduced size classes with more than 18 REP students had a co-teacher, while 5% (123 out of 2,334) of classes with more than 24 REP students had a co-teacher.

¹⁹ Approximately 40% (1609 out of 4,051) of augmented classes with more than 15 REP students had a co-teacher.

In addition to its potential effect on student outcomes, class sizes have funding implications for the state. The state pays a higher cost for REP FTEs (\$3,777 compared to \$3,167 in middle school and \$2,784 in high school) because students are meant to receive more individualized instruction than the general education population (e.g. 1 to 15 versus 1 to 23 in high school). However, when systems waive class size guidelines, the state continues to fund REP courses at a higher rate.

Teacher Certification

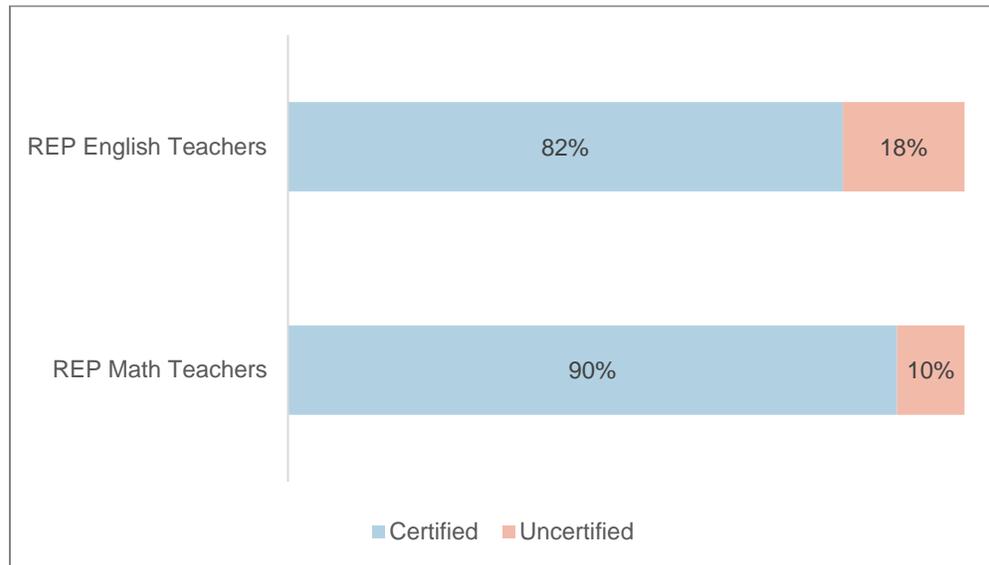
According to GaDOE guidelines, REP teachers must meet the appropriate certification requirements as defined by the Georgia Professional Standards Commission.²⁰ REP teachers must be certified to teach in Georgia and possess a subject certification or endorsement for the subject they are teaching. However, due to system flexibility, most systems can waive guidelines related to teacher certification.

Studies of other states have shown that teacher effectiveness—which is often ensured through certifications and professional development—has a significant impact on student achievement. A 10-year study conducted in North Carolina, for example, found that a teacher’s experience and licensure positively influence student achievement, with a larger effect for math than reading. Similarly, research from Texas found that certified teachers consistently produce significantly stronger student achievement gains than uncertified or alternatively certified teachers. Additionally, based on interviews, educators in Georgia emphasize the importance of subject certification, which is issued to teachers who are prepared to teach a specific subject matter.

Nearly all (96% or 5,978) of the 6,205 REP teachers statewide are state certified, and most (86% or 5,353) have subject-level certifications relevant to the REP course they teach. However, approximately 10% (342 of 3,292) of REP math teachers are not certified to teach a math course, and approximately 18% (526 of 2,931) of REP ELA teachers are not certified to teach ELA courses, as shown in **Exhibit 7**.

²⁰ The Georgia Professional Standards Commission oversees the preparation, certification, and professional conduct of certified personnel employed in Georgia public schools.

Exhibit 7 Most REP Teachers are Subject-certified, FY 2019¹



¹ The count for ELA teachers includes ELA teachers with reading as well as ELA certifications.
Source: GaDOE Certified/Classified Personnel Information (CPI) data

For both subject areas, the percent of uncertified teachers by subject varies across systems and is not concentrated in any geographic area. Of the 99 systems with uncertified REP ELA teachers, 9 systems (9%) did not have any certified remedial ELA teachers. Of the 99 systems with uncertified REP math teachers, 10 systems (10%) did not have any certified REP math teachers. These systems were either charter schools or small rural systems, and the number of total REP teachers ranged from 1 to 4.

While nearly all systems (98% of strategic waiver systems and all charter systems) have a teacher certification waiver, those we interviewed stated they prefer having certified teachers teach remedial classes. Systems stated this is not always possible, however, because it can be difficult to find teachers who are subject-certified, especially for systems in rural/remote areas. Additionally, while systems indicated that subject certification is the most important REP teacher qualification, a desire to teach and the ability to connect with struggling students were also considered desired qualities.

Other Ways Students are Served

In addition to variations in use of certified teachers and class sizes, many systems we surveyed stated that they serve their REP population in other ways. For example, among the 139 systems we surveyed, 112 indicated they provide REP students with services such as before or after school tutoring (63%), school hours tutoring (48%), summer school (45%), enrichment programs (29%), online support (29%), and/or Saturday school (19%). It should be noted these services can also benefit students who are not categorized as REP but can be funded with QBE earnings from REP and other sources.

While the activities listed above are focused on providing supplemental instruction—which is consistent with the intent of REP—some systems have implemented a different strategy known as “credit recovery.” Credit recovery provides the

opportunity for a student to retake a course they failed to obtain credit toward graduation. Through data analysis we found that 14 systems deliver REP-funded math classes as credit recovery, while 10 systems allow credit recovery with REP ELA. The practice is particularly prevalent in one virtual charter school—of the 159 students taking a REP ELA class as credit recovery, 92% (146 students) were enrolled in one virtual charter school. Because credit recovery is not addressed in GaDOE guidelines, it is unclear whether this achieves the remedial program’s purpose of providing individualized instruction to struggling students, or if it requires the additional funding to implement.

Many of the additional services systems provide REP students—such as summer school, tutoring, and before and after school programs—are evidence-based practices. These services allow struggling students to develop reading and mathematics skills outside of school hours and can be tailored to meet the needs of individual students. By contrast, we did not find any studies that concluded that credit recovery is an evidence-based practice.

RECOMMENDATIONS

1. GaDOE should periodically review how local school systems across the state provide REP services to students. This should include a review of delivery models, class sizes, and teacher certifications.
2. GaDOE should evaluate school systems’ methods of delivering REP services to determine whether they are aligned with best practices and/or the intent of REP.
 - a. In addition, school systems should work to ensure REP classes are taught by certified teachers and do not exceed class sizes recommended in the guidelines, or as required by law for Title 20 systems.
3. GaDOE should review its guidelines and determine areas in which guidance related to virtual charter schools may be appropriate (e.g. class sizes).

Agency Response: GaDOE indicated that “local control and the legal ability to waive laws and rules may result in a lack of adherence to state guidance.” Furthermore, GaDOE indicated that it “does not collect evidence regarding [REP] services provided” and that an evaluation is necessary to “infer any relationship between...REP...and academic outcomes.”

DOAA Response: As noted throughout the report, system flexibility allows strategic waiver and charter systems to waive certain laws and rules, while two Title 20 systems cannot waive any requirements in state law. However, neither local control, system flexibility, nor the lack of an outcome evaluation precludes GaDOE from providing guidance in the form of recommended best practices nor from collecting data on and monitoring REP services provided by local school systems.

Finding 4: REP students likely need additional support for their non-academic needs; however, the extent to which those needs are addressed varies.

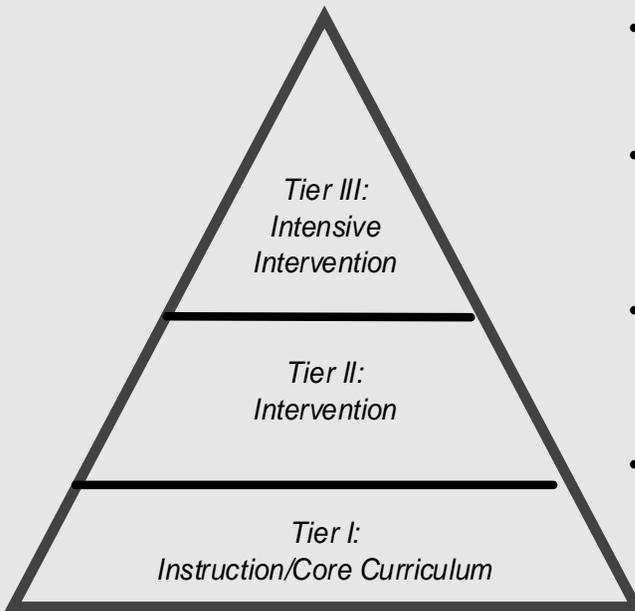
GaDOE’s guidelines for REP include the Multi-Tiered System of Support (MTSS) framework that is intended to guide systems in identifying and serving students in need of both academic and behavioral supports. However, GaDOE has not provided

all systems the same level of guidance on how to best implement all aspects of the MTSS framework.

Many states, including Georgia, have begun to implement the federally-supported MTSS to serve students' social, emotional, and academic needs. According to GaDOE guidelines, REP is part of the MTSS framework, which is used to first identify students who might be at risk of poor learning outcomes or have behavioral concerns that impact learning and then classify them according to the level of intensity required. The MTSS framework includes several components that integrate instruction and intervention, including the Positive Behavioral Intervention and Supports (PBIS).²¹

Multi-Tiered System of Support (MTSS)

MTSS is a tiered system of supports that integrates assessment and intervention to maximize student achievement and reduce behavioral problems. As described below, MTSS consists of screening, a multi-level intervention system, progress monitoring, and data-based decision making.



- Screening: Students are screened and those in need of enrichment as well as those who are at risk of poor learning or behavioral outcomes are identified.
- Instruction/Intervention: The type of intervention necessary for each student is selected and implemented using a multi-level prevention system, which consists of three levels of instruction intensity. (See triangle to the left)
- Progress Monitoring: During this process, students are consistently progress monitored in order to determine students' responses to secondary/tertiary instruction/intervention and identify students who are not demonstrating adequate progress.
- Data-Based Decision Making: Throughout the process, student data is used to make informed decisions about instructional needs, the effectiveness of instruction, and the level of intensity needed.

²¹ Positive Behavioral Intervention and Supports (PBIS) is an evidence-based, data-driven, and multi-tiered framework that aims to reduce disciplinary incidents and support improved academic outcomes. As of fiscal year 2020, approximately 1,400 schools in Georgia have implemented PBIS. It was unclear how many were middle and high schools.

Disciplinary incidents occurred at nearly double the rate among REP students

Incidents (per 1,000 students)	
REP	935
Non-REP	445

REP students likely need support for their non-academic needs in addition to increased instruction, as evidenced by frequent absenteeism and behavioral incidents, which research suggests are associated with disengagement from school. Approximately 20% of REP students in fiscal year 2019 (32,000 of 164,000) had absences that exceeded 15 days.²² Approximately 31% (51,044) of REP students had at least one disciplinary action, and 18% (30,007) of REP students had more than one disciplinary action. REP disciplinary incidents were nearly twice the rate of the general population in grades 6 through 12—935 incidents per 1,000 students compared to 445.

However, the extent to which systems use the MTSS framework to identify and address the non-academic needs of students varies. Some systems interviewed indicated that while they have not formally implemented MTSS, they are using individual components of MTSS, such as progress monitoring. One system indicated that they use the MTSS framework and created local guidelines regarding progress monitoring and interventions. Another system that has already received training from the GaDOE indicated that they intend to use MTSS to identify the root cause of why students are performing below grade level.

While GaDOE has a division dedicated to MTSS, it does not provide formal or extensive guidance on how to implement MTSS for all systems across the state. As of fiscal year 2020, only 63 schools (including 27 middle and high schools) in 25 systems have applied for and received formal guidance from GaDOE on how to implement MTSS.²³ According to GaDOE, the participating schools receive training and resources on how to implement MTSS with fidelity so that students receive the intervention that meets their needs.²⁴ Without this formal guidance, other systems may not be implementing the MTSS framework with a similar level of fidelity.

Although GaDOE has guidance on the behavioral component of MTSS (i.e. PBIS), it is not included as part of the REP guidelines. GaDOE staff indicated that PBIS is not required, and not all schools implement PBIS. Additionally, GaDOE program staff indicated that there is a need for stronger coordination between MTSS and REP. However, REP guidelines and GaDOE regulations do not clearly specify how such coordination should occur. Interviews with systems indicate a degree of confusion about how to incorporate MTSS with REP. For example, one system indicated that REP was outdated and not compatible with MTSS, while another indicated that REP can be integrated with MTSS as one type of tiered support for students.

Because the MTSS framework and PBIS have not been formally implemented in all systems, it is unclear whether all REP students are being consistently identified to receive the appropriate level of service across the state. Research indicates that when a student's behavioral and academic needs are met, students are more engaged in school and are more likely to graduate and succeed in the workforce.

²² According to criteria used by the Governor's Office of Student Achievement, 15 days is the benchmark for how schools are ranked based on attendance. A rating of exemplary means that 5% or less of the school's students were absent for more than 15 days. Of the approximately 32,000 REP students with more than 15 days of absences, 44% were in middle school and 56% were in high school.

²³ These systems applied to participate in GaDOE's training cohorts and were selected based on specific criteria, including the districts' readiness to implement MTSS.

²⁴ It should be noted that systems must provide the funding to support the costs of implementation.

RECOMMENDATIONS

1. GaDOE should provide more guidance and information to systems on how to simultaneously address both the academic and non-academic needs of REP students, beginning with clarifying the relationship between MTSS, PBIS, and REP in the program guidelines.
2. The General Assembly could assess whether systems should be provided with more resources to implement MTSS.

Agency Response: GaDOE stated that REP is “one program among several necessary to address variability in student needs and possible supports.” GaDOE further indicated that it provides districts that participate in MTSS with guidance and technical assistance in their efforts to establish a multi-tiered system of supports in their schools. According to GaDOE, MTSS staff have been funded by a grant that will expire in 2022, and its teams are “coordinating to sustain the knowledge of MTSS within the structures of Georgia programs and policies.”

Finding 5: Local school systems’ exit criteria vary throughout the state.

Unlike other similar QBE-funded programs, GaDOE has not established exit criteria for REP. Systems have taken various approaches to creating criteria related to when a student may no longer need REP, which has created inconsistencies in how students are exited.

Decisions to exit students from EIP must consider standardized test results, student portfolios, Student Support Team checklists, or the EIP rubric. Exit decisions for ESOL students are based on their scores on the English proficiency exam.

Several QBE-funded instructional programs—including the Early Intervention Program (EIP) and English to Speakers of Other Languages (ESOL)—specify exit criteria in the program guidelines. However, exit criteria related to REP is absent from state law and GaDOE guidelines. GaDOE staff stated they do not know why REP lacks exit criteria, and the issue has never been addressed.

Systems vary widely in the criteria they use to exit students from REP. Of the 139 systems with remedial programs that we surveyed, 88% (122) indicated that they have exit criteria for REP. These systems indicated the criteria generally relate to the student showing improvement in academic performance, though this may be determined based a variety of metrics, including assessment scores, teacher recommendation, or class grades. The remaining 12% (17) of systems indicated they have not developed criteria.

To assess the impact of varying criteria, we reviewed Georgia Milestones Assessments and class grades for 38,219 middle school students (grades 6-8) who took a REP ELA class and 40,032 students who took a REP mathematics class in fiscal year 2018. We followed these students in the next fiscal year to determine whether they remained enrolled in a REP class in any system or school in Georgia.

As described below and in Exhibit 8, our analysis identified inconsistencies among a subset of students based on their performance in the relevant REP subject and Georgia Milestones Assessment.

- **Students remained in REP despite improved performance** – Among the 38,219 students who took a REP ELA class in fiscal year 2018, 2,816 (7%) passed the class (grade C or better) and scored at or above grade level on the Milestones Assessment. Approximately 23% (639) of those students remained in a REP ELA class in fiscal year 2019.

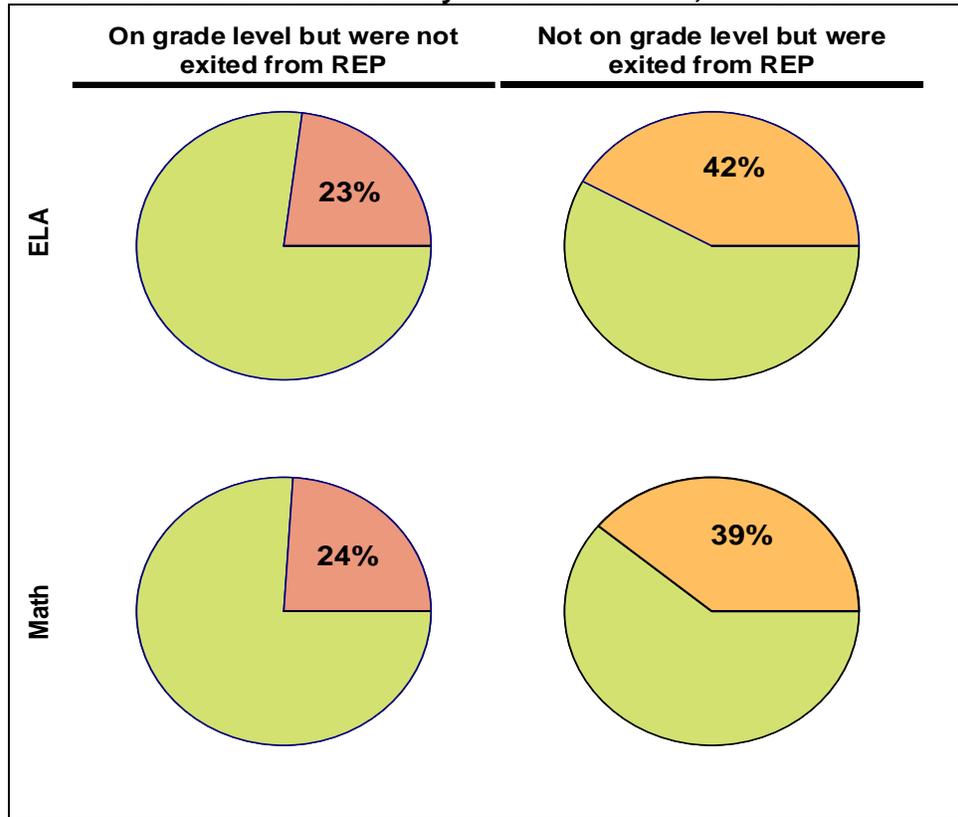
Likewise, 3,665 of the 40,032 students who took a REP math class (9%) passed the class and scored at or above grade level on the Milestones assessment. Approximately 24% (895) remained in REP in fiscal year 2019.

Approximately 60% (875) of the 1,453 students who remained in REP despite improved performance are associated with eight systems that indicated they do not have exit criteria. In interviews, system staff indicated there are several reasons why a student who is performing at grade level may remain in REP, including parental choice and preferred learning styles. Further, staff in six systems we interviewed indicated that systems look at the student holistically, and ultimately the student support team decides whether a student can maintain the level of progress in a general education setting.

- **Students absent from REP despite performing below grade level** – Of the 4,919 students who failed a REP ELA class and scored below grade level on the Milestones assessment in fiscal year 2018, 42% (2,088) were not in REP in fiscal year 2019. The percent was similar for students who failed their REP math class and scored below grade level on Milestones Assessment (39%, or 2,328 of 5,901).

This analysis does not account for why students may no longer be enrolled in REP. There are a number of reasons this may have occurred; for example, a student may have transferred outside the Georgia public school system to a private school, moved to another state, or dropped out. Additionally, two systems indicated that students who are not improving may be exited from REP if it is determined that they may be better served in special education courses.

**Exhibit 8
REP Students are Inconsistently Exited from REP, FY 2018 & FY 2019**



Source: DOAA analysis of GaDOE student class data

Because the criteria used to exit students from REP differ across systems, a student performing at a certain level may remain in REP in one system, while a student with similar performance in another system would be exited from REP, creating equity issues. Additionally, as previously mentioned, systems earn additional funding for serving students in REP as opposed to general education. When students who are performing at grade level remain in REP, it is possible that additional funding is being earned for services the students no longer need. Students who were performing at grade level in fiscal year 2018 and remained in REP in fiscal year 2019 accounted for approximately 250 FTEs, which cost the state an estimated \$230,000 in additional funding.²⁵

It should be noted that any defined exit criteria could allow for exceptions to be made if the non-academic needs of a student necessitate keeping them in REP even if they are performing above grade level.

RECOMMENDATION

- To ensure consistency, GaDOE should establish exit criteria for REP, as it has for EIP. If necessary, the General Assembly should consider amending O.C.G.A. § 20-2-154 to require GaDOE to establish exit criteria.

²⁵ This estimate assumes one segment or 1/6 FTE per student.

Agency Response: GaDOE indicated that “local control and the legal ability to waive laws and rules may result in a lack of adherence to state guidance.” GaDOE further stated that “data collections do not currently track evidence of adherence nor exit criteria.” GaDOE also indicated that “entry/exit data are only valuable in the context of an evaluation that maps REP to academic outcomes and that this type of evaluation is not currently possible due to lack of staff capacity.”

DOAA Response: As noted throughout the report, system flexibility allows strategic waiver and charter systems to waive certain laws and rules, while two Title 20 systems cannot waive any requirements in state law. However, neither local control, system flexibility, nor the lack of an outcome evaluation precludes GaDOE from recommending exit criteria now, as it has done for other instructional programs.

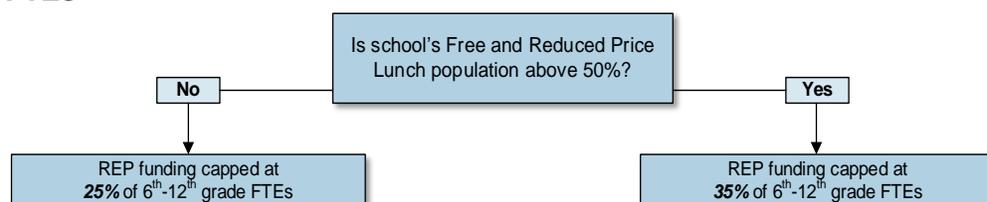
Finding 6: REP is the only QBE-funded instructional program with a funding cap.

Unlike other QBE-funded programs, state law caps the amount of REP funding systems earn based on the population of students receiving free and reduced-price lunches. At maximum, systems cannot earn funds for any REP FTEs that exceed 35% of each school’s reported FTEs in grades 6-12. A small number of schools in mostly rural, less wealthy systems exceed the cap.

QBE-funded programs generally do not have a cap that limits the amount of state funding for instructional services provided. This includes the Early Intervention Program (EIP), which supports students in grades K-5 who perform below grade level. It should be noted that EIP is funded at a higher rate than REP; for example, EIP grades 4-5 funds at a rate of \$4,719 per FTE (\$1,178 per FTE more than REP). Approximately 37,398 FTEs were in the EIP program in fiscal year 2019, requiring \$258.8 million in total funding.

REP is the only QBE-funded program with a cap that limits the amount of state funding for instructional services provided. According to O.C.G.A § 20-2-154, this cap is based on the percentage of each school’s student population on free and reduced-price lunches, as shown in Exhibit 9.²⁶

Exhibit 9 REP Earnings Can Be Capped at Up To 35% of Middle and High School FTEs



Source: O.C.G.A. § 20-2-154 and Board of Education Rule 160-4-5-.01

²⁶ The cap calculation takes the prior year percentage of students on free and reduced-price lunches.

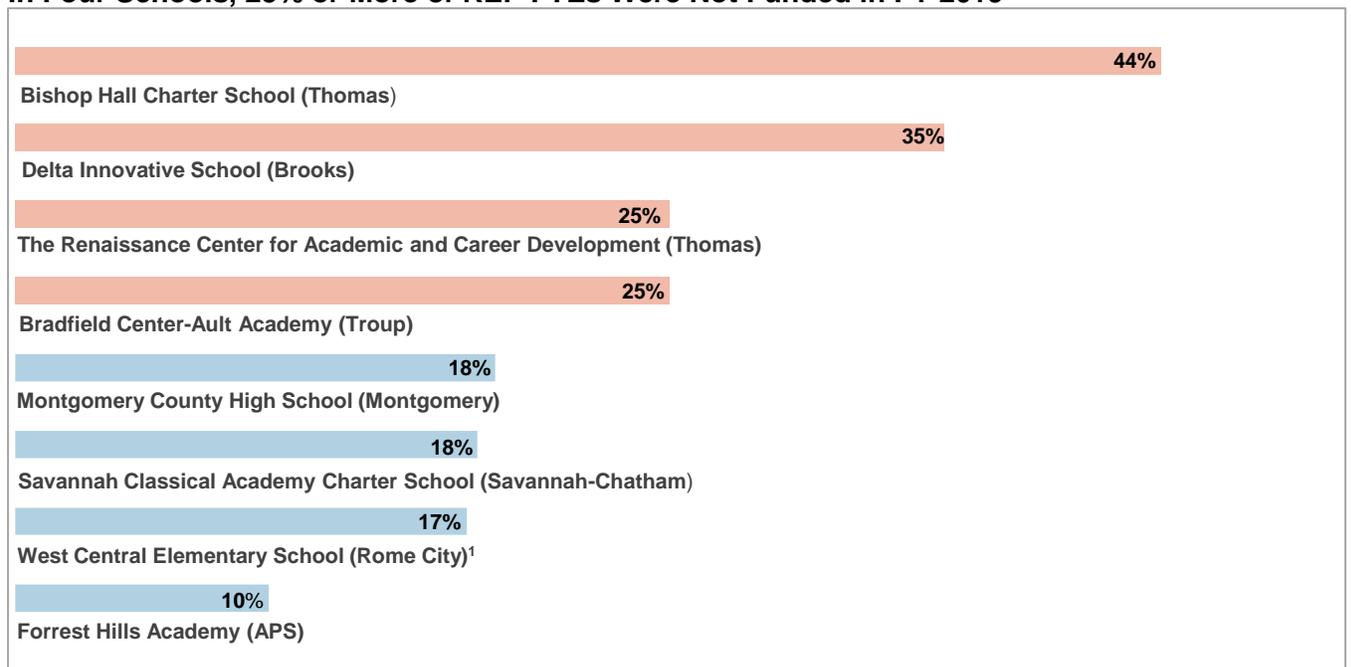
In fiscal year 2020, approximately 69% (734 of 1,059) schools with grades 6 through 12 had more than 50% of enrolled students on free and reduced-price lunches. When a school's percentage of students on free and reduced-price lunches exceeds 50%, state law gives the State Board of Education discretion to increase the 25% eligibility cap. Since 1991, the Board has exercised this authority by capping REP earnings at 35% of the FTEs at affected middle and high schools. Unlike the 25% cap, the 35% funding cap cannot be waived under system flexibility.

GaDOE staff indicated that the REP funding cap has been enforced since the program's inception in 1985, and no one currently at GaDOE knows why the cap was initially established.

The eligibility cap has not significantly impacted statewide funding for REP because overall participation in REP (4% of total FTEs in grades 6-12) is significantly less than the cap.²⁷ However, some schools exceed the cap, and a small number of systems have been affected. In fiscal year 2019, eight schools served 64 REP FTEs but did not earn QBE funds for them (49 FTEs in high school, 15 FTEs in middle school) because of the eligibility cap, as shown in Exhibit 10. Every school had more than 50% of the student population on free and reduced-price lunches and were thus subject to the 35% cap. The percentage of REP FTEs at these schools ranged from 38% to 62% of eligible FTEs. If the cap did not exist, it would have cost the state approximately \$50,000 in additional funding to fund REP in fiscal year 2019.

Exhibit 10

In Four Schools, 25% or More of REP FTEs Were Not Funded in FY 2019



¹ West Central Elementary School serves grade 6.
Source: GaDOE REP eligibility calculations

²⁷ To reach the 25% cap at the statewide level, the number of REP FTEs would have to increase by approximately 500%—from 28,761 to 167,129.

While two schools were from large urban systems (Atlanta Public Schools and Chatham), six schools were from small, mostly rural systems (Brooks, Montgomery, Thomas, Troup, and Rome City) that have been identified as among the poorest in the state. The inability of these systems to receive full funding for the REP FTEs they serve creates unequal access to the state funding intended to assist the population, which is particularly problematic given that QBE earnings for REP have increased significantly in recent years.

These inequalities become more significant when considering the learning gaps created by the COVID-19 pandemic and the potential increase in students eligible for REP. Of the 139 systems with remedial programs who responded to our survey, 93% (129) indicated that more students may become eligible for REP because of the pandemic.²⁸ As more students become eligible for REP, more schools may be negatively impacted by the cap. Based on our calculations, an additional six schools were within five percentage points of the 35% cap (i.e. REP FTEs were between 30% and 35% of eligible FTEs). However, DOE officials indicated that there may be alternative options for meeting the needs of students who have experienced learning loss due to the pandemic.

RECOMMENDATIONS

1. The General Assembly should assess whether the 25% REP eligibility cap is still needed, given that it disproportionately impacts some schools/systems that may need the funding to serve students.
2. The State Board of Education should reconsider the 35% eligibility cap for schools that have more than 50% of the student population on free and reduced-price lunches.

Agency Response: GaDOE agreed that the State Board of Education may desire to reconsider the funding cap after a formal evaluation of the program. It also noted that the State Board of Education can only increase the percentage of funded REP participants when the percentage of the student population on free and reduce-price lunches exceeds 50%. GaDOE indicated that any other change would require a change in state law.

Finding 7: Five systems serve students performing below grade level without participating in REP.

According to state law and State Board of Education regulations, all students who are in grades 6 through 12 and meet certain performance criteria must be provided with the instructional services needed to address their respective reading, mathematics, or writing deficiencies. While this is largely accomplished through REP program participation (which results in QBE funding), systems are not required to have REP programs. The funding class size—which cannot be waived under system flexibility—prevents some systems from participating in REP.

²⁸ Responses were received from 150 systems and schools. Eleven systems and schools indicated they do not have remedial programs. Their responses were not included in our analysis.

In fiscal year 2019, approximately 3% of systems (5 of 180) did not provide services to students performing below grade level through REP: Gwinnett, Muscogee, Taliaferro, Webster, and Schley. These systems have not served students through REP for at least a decade. Some noted they have identified strategies they believe are more effective—such as after school tutoring and intervention support classes.

In interviews, these systems stated that staffing limitations and scheduling challenges hindered their ability to participate in REP. Additionally, some systems indicated that the funding class size (at least 15 REP students) has prevented them from serving students through REP.

Systems that do not participate in REP do not code services provided to students under remedial education. As such, GaDOE has no way to determine which students receive services that address identified deficiencies in reading, writing, and mathematics; thus, it cannot assess their outcomes.

Because these systems lack a formal REP program, the state has avoided the additional cost associated with serving students in a formal REP course. For example, the state avoids approximately \$153 for every general education course taken by a high school student who could have been served in a REP course had the system offered it.²⁹

However, it is possible these five systems could eventually become eligible for or decide to join the program (staff for Gwinnett and Muscogee indicated they may begin serving through REP). This would result in additional costs to the state, as shown in Exhibit II. Based on an analysis of REP FTEs in comparable systems, most systems would only increase REP FTEs by a small percentage. However, if Gwinnett County decided to participate in REP, the estimated number of REP FTEs would increase by an estimated 2,200, which would increase QBE earnings for REP by \$2 million.

Exhibit 11 REP Earnings Could Increase by More Than \$2.5 Million If All Systems Participated in REP¹

School System	Estimated FTEs	Estimated Increase in Earnings
Gwinnett County	2,200	\$2.0 million
Muscogee County	550	\$488,000
Schley County	30	\$29,000
Taliaferro County	15	\$13,000
Webster County	10	\$10,000
Total	~2,800	~\$2.5 million

¹ This calculation is based on the total number of FTEs in grades 6-12 and an estimated percentage of REP FTEs in fiscal year 2019. For each system, systems with similar FTE numbers were identified and the percentage of REP FTEs was calculated. These percentages were averaged to estimate the REP percentage of grades 6-12 FTEs for the systems without REP. Gwinnett County's REP percentage was calculated using an average of the top four systems; Cobb County was excluded because it has a significantly higher percentage of REP FTEs (13%) than the next system with the most REP FTEs (Fulton County had 6%).
Source: GaDOE FTE and QBE data, FY19

²⁹ In fiscal year 2019, the per FTE cost differential between the high school program (\$2,621) and REP (\$3,541) was \$920 per FTE, or six segments. Since one class generally counts as one segment, we estimated the cost of a class at one-sixth of the per FTE cost, or \$153.

RECOMMENDATION

1. Given that the funding class size impacts some systems' ability to receive funding for services delivered to students who would be eligible for REP, the General Assembly could consider removing the funding class size to ensure that all systems can participate in REP.

Agency Response: GaDOE indicated that it has a process that triggers a warning when a district is reporting 10% more or less FTEs in any FTE category than it did in the last FTE count. It further indicated that it could consider having districts submit a warning explanation when they do not report any remedial students. However, GaDOE also indicated that it “would need to confer with policymakers and school system leaders to find out the rationale for not reporting any FTEs” before it would institute such a process.

Appendix A: Table of Recommendations

Due to changes from system flexibility, the effectiveness of REP should be evaluated to determine whether the program should continue in its current form (p. 8)
1. GaDOE should evaluate the effectiveness of REP on student outcomes, which may require additional expertise to design evaluation methods and inform data collection. Based on the outcome of the evaluation, GaDOE – in consultation with the General Assembly – should determine whether REP should continue to be provided and funded in its current form.
2. Notwithstanding an evaluation, the recommendations included in the findings that follow should be addressed.
GaDOE should take additional steps to manage REP. (p. 10)
3. In addition to the outcome study discussed in finding 1, GaDOE should annually evaluate REP as required by state law and use the results to determine whether program improvements are needed.
4. GaDOE should develop and disseminate additional guidance related to REP, including guidance on topics such as exit criteria, professional development, and other resources, as it does for the Gifted and EIP programs.
5. GaDOE should consider dedicating staff to provide additional support and oversight of systems' REP efforts, as it provides for the Gifted, ESOL, and EIP programs
Local school systems can serve REP students in a variety of ways. While most systems provide services that align with best practices or GaDOE guidance, some do not. (p. 12)
6. GaDOE should periodically review how local school systems across the state provide REP services to students. This should include a review of delivery models, class sizes, and teacher certifications.
7. GaDOE should evaluate school systems' method of delivering REP services to determine whether they are aligned with best practices and/or the intent of REP. <ol style="list-style-type: none"> a. In addition, school systems should work to ensure REP classes are taught by certified teachers and do not exceed class sizes recommended in the guidelines, or as required by law for Title 20 systems.
8. GaDOE should review its guidelines and determine areas in which guidance related to virtual charter schools may be appropriate (e.g. class size).
REP students likely need additional support for their non-academic needs; however, the extent to which those needs are addressed varies. (p. 17)
9. GaDOE should provide more guidance and information to systems on how to simultaneously address both the academic and non-academic needs of REP students, beginning with clarifying the relationship between MTSS, PBIS, and REP in the program guidelines.
10. The General Assembly could assess whether systems should be provided with more resources to implement MTSS.
Local school systems' exit criteria vary throughout the state. (p. 20)
11. To ensure consistency, GaDOE should establish exit criteria for REP, as it has for EIP. If necessary, the General Assembly should consider amending O.C.G.A. §20-2-154 to require GaDOE to establish exit criteria.
REP is the only QBE-funded instructional program with a funding cap. (p.23)
12. The General Assembly should assess whether the 25% REP eligibility cap is still needed, given that it disproportionately impacts some schools/systems that may need the funding to serve students.
13. The State Board of Education should reconsider the 35% eligibility cap for schools that have more than 50% of the student population on free and reduced-price lunches.

Five systems serve students performing below grade level without participating in REP. (p. 25)

14. Given that the funding class size impacts some systems' ability to receive funding for services delivered to students who would be eligible for REP, the General Assembly could consider removing the funding class size to ensure that all systems can participate in REP.

Appendix B: Objectives, Scope, and Methodology

Objectives

This report examines the Georgia Department of Education's (GaDOE) Remedial Education Program (REP). Specifically, our audit set out to determine the following:

1. How is funding for REP determined and how much does REP cost? Does funding for REP meet the intent of the QBE formula?
2. How are students served in REP?
3. Are REP services consistent with best practices?

Scope

This audit generally covered REP activity that occurred from fiscal year 2013 to fiscal year 2020, with consideration of earlier or later periods when relevant. Information used in this report was obtained by reviewing relevant laws, rules, and regulations; interviewing agency officials and staff from GaDOE; analyzing data and reports by GaDOE; reviewing existing studies on best practices in remedial education; and surveying school systems across the state.

The following data sets from GaDOE were used to inform multiple objectives:

- **Full-Time Equivalent (FTE) data** – The FTE data consist of information on the number and type of instructional segments per student, which are used to determine FTE counts. To be counted, a student must have attended class for at least one of the prior 10 school days before the FTE count date. The FTE count is submitted twice a year: October (cycle one) and March (cycle three). We obtained FTE data for both cycles in fiscal years 2018 and 2019 for all students in grades 5 through 12.
- **Student record data** – The student record collects data on the instructional services that school systems provided to students throughout the school year. The dataset includes information at the student, school, and system levels. We obtained all available student level data for all students associated with a REP course number in fiscal years 2018 and 2019.
- **Student class data** – Student class is a collection of class roster data that links students and teachers to a class. We obtained student class data for all students who had at least one REP course in fiscal years 2018 and 2019 for the October and June data sets.
- **Georgia Milestones Assessment data** – Assessment data contain information for End-of-Course (for high school grades) and End-of-Grade (for middle school grades) scores in the relevant subject areas. We obtained Milestones assessment data for all students who had a REP segment based on the FTE data in fiscal years 2018 and 2019.
- **Certified/Classified Personnel Information (CPI) data** – CPI contains all personnel information for school employees, including teachers and administrators. We obtained CPI data for all teachers associated with a REP course for fiscal years 2018 and 2019.

For all datasets, we assessed GaDOE's controls, including business rules, over the data used for this audit and determined that the data used were sufficiently reliable for our analyses.

Government auditing standards require that we also report the scope of our work on internal control that is significant within the context of the audit objectives. All of our objectives address aspects of the GaDOE's internal control structure. Specific information related to the scope of our internal control work is described by objective in the methodology section below.

Methodology

To determine the extent to which the funding and cost of REP is determined, we reviewed state laws and State Board of Education regulations for QBE funding allocations, program weights, and expenditure controls. We interviewed GaDOE staff about QBE earnings and FTEs as well as expenditures. Additionally, we surveyed all school systems to obtain more information on how they use the earnings. This survey on REP funding was distributed to 181 school systems and 31 charter schools; we received responses from 130 systems and charter schools. To obtain a deeper understanding of how REP earnings are used by different school systems across the state, we interviewed staff at school systems.

To obtain information on how students are served in REP, we obtained student-level data from GaDOE and conducted multiple analyses to determine the various characteristics related to students served in REP. These analyses included determining demographic characteristics, the number of students served by system as well as by grade and subject, and class information. We interviewed staff in GaDOE's Office of Technology Services to ensure that we were interpreting the data accurately. We also interviewed GaDOE program staff to understand how services should be delivered. We reviewed GaDOE documents related to REP services.

To determine the extent to which REP services are consistent with best practices, we reviewed existing studies on best practices for supporting students who are performing below grade level. We interviewed experts in education and staff at school systems to understand best practices and how services are provided. We reviewed similar programs in other states to determine how services were provided and funded. To obtain more detailed information on how services are provided to students served in REP, we surveyed 181 school systems and 31 charter schools about REP services. We received responses from 128 systems and 22 charter schools. Based on the survey responses, we interviewed staff at school systems to determine how services vary across school systems.

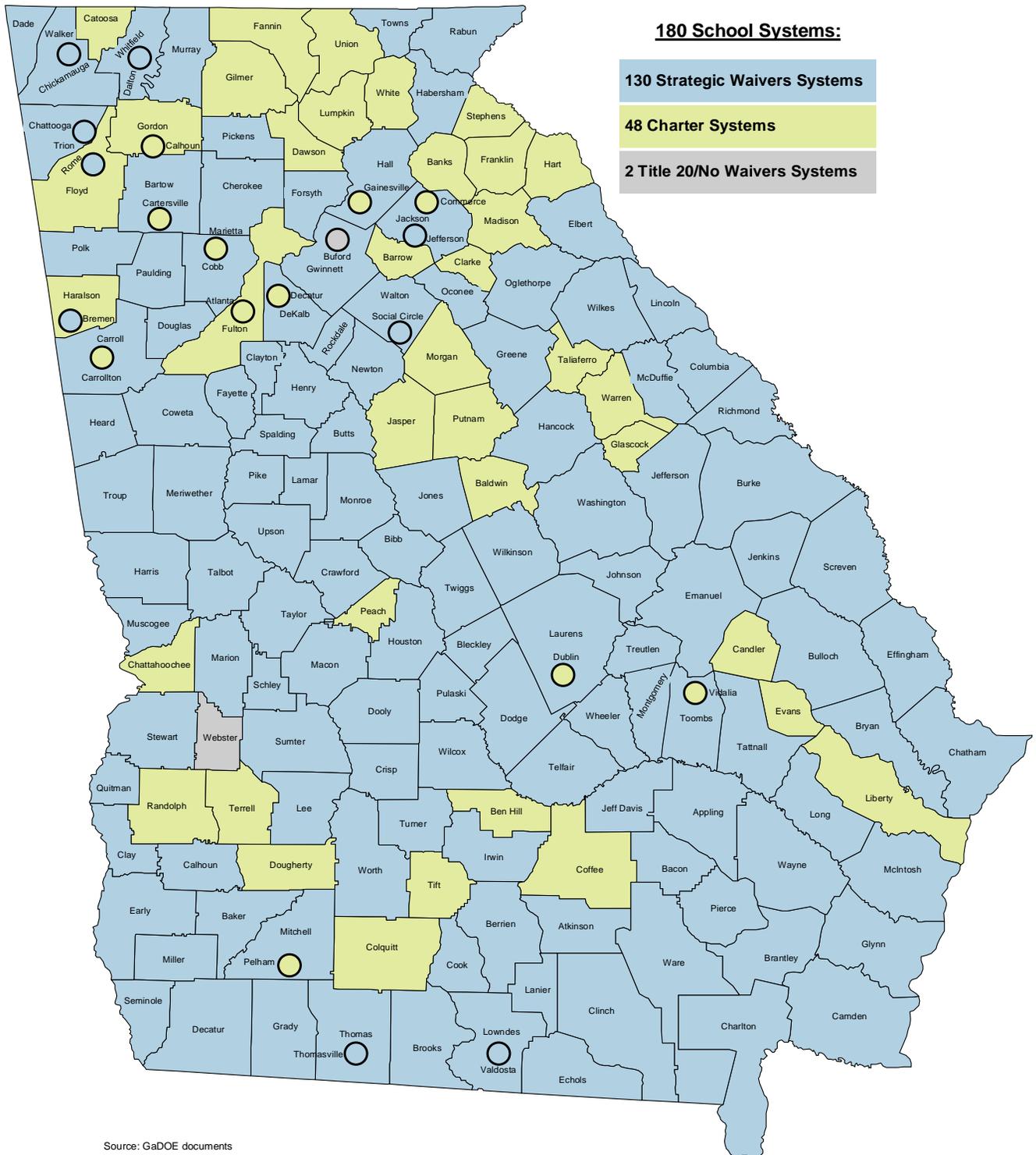
We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix C: QBE Instructional Programs, FY 2020

Program	Per FTE Cost	Program Weight	QBE Earnings
Category IV Special Ed	\$16,328	5.8658	\$324,088,202
Category III Special Ed	\$10,065	3.6158	\$973,620,891
Category II Special Ed	\$7,900	2.8379	\$116,993,255
ESOL	\$7,201	2.5870	\$290,890,030
Category V Special Ed	\$6,883	2.4727	\$161,583,256
Category I Special Ed	\$6,710	2.4104	\$244,130,293
Kindergarten EIP	\$5,752	2.0664	\$187,267,878
Grade 1-3 EIP	\$5,058	1.8169	\$461,761,815
Grade 4-5 EIP	\$5,042	1.8114	\$283,286,112
Gifted	\$4,673	1.6786	\$714,096,605
Kindergarten	\$4,653	1.6715	\$583,808,902
Alternate Education	\$4,140	1.4874	\$107,350,106
Remedial	\$3,777	1.3570	\$164,340,004
Grade 1-3	\$3,603	1.2944	\$1,357,876,184
Vocational Labs 9-12	\$3,294	1.1833	\$330,561,303
Middle School	\$3,167	1.1377	\$1,360,728,357
Grades 4-5	\$2,892	1.0389	\$685,185,025
High School	\$2,784	1.0000	\$1,234,480,063
Statewide Total			\$9,582,048,281¹

¹ This total does not include \$7,367,221 in QBE earnings for special education itinerant and supplemental speech. Including this amount, total QBE earnings for direct instructional costs in fiscal year 2020 was \$9,589,415,502. Source: GaDOE QBE earnings and FTE weights reports

Appendix D: School Systems by Type, FY 2020



Source: GaDOE documents

Appendix E: Waiver Descriptions and Examples of Uses, FY 2019

Waiver	Summary of Law or Regulation	Example(s) of Waiver Usage (as reported by school systems in FY19)
Academic Programs		
Early Intervention program §20-2-153	Requires systems to implement early intervention programs for students in grades K-5 who are at risk of not reaching or maintaining academic grade level. Systems must establish identification processes and follow SBOE regulations in designing delivery models, which may include class augmentation, pull-out, or self-contained classes.	<ul style="list-style-type: none"> ● Flexible service models ● Students who are struggling may receive EIP services even if they are not identified and funded as EIP
Remedial education program §20-2-154	Establishes remedial education eligibility criteria for students in grades 6-12 and limits the eligible population to 25% of the FTE population in eligible grades (provided that the SBOE may establish a higher percentage if more than 50% of students receive free and reduced-price lunches).	<ul style="list-style-type: none"> ● Used in relation the schoolwide percentage of students served ● Used to provide intervention based on student needs in Mathematics and ELA through a variety of delivery models, instructional time, etc.
Graduation Requirements 160-4-2-.48; 160-4-2-.47	Establishes high school graduation requirements, including the number of credits required for each area of study (Math, Science, Health and Physical Education, etc.).	<ul style="list-style-type: none"> ● Require 26 credits to graduate instead of 23 ● Substitution of marching band for physical education requirement ● Require financial literacy unless the student takes college or AP Economics
Competencies and Core Curriculum, Online Learning §20-2-140.1, 20-2-142	Seeks to maximize the number of students who complete at least one online learning course prior to graduation. Also prescribes courses required for graduation including federal and state government and history (U.S. and Georgia).	<ul style="list-style-type: none"> ● No requirement for students to take an online course prior to graduation.
Organization of Schools; Middle School Programs; Schedule - §20-2-290; 160-4-2-.05	Requires middle school programs to have academic teams with a minimum of 55 consecutive minutes for common planning. Each academic team must provide its common group of students: 1) a minimum of five hours of instruction in academic classes and 2) at least one connections class each grading period/term (with some exceptions stipulated).	<ul style="list-style-type: none"> ● Flexibility in the required minimum 55 consecutive minutes for common planning ● Reduced some middle school classes by 5-10 minutes in order to offer high school credit for some subjects in 8th grade ● Reduced instructional time for middle school students at the Alternative School to allow time to ride the bus to and from their home schools

Promotion & Retention - §20-2-283	Establishes promotion criteria for students in grades 3, 5, and 8 based on end-of-year assessments in reading and math. Also establishes requirements regarding retests, parent notification, and the appeals process.	<ul style="list-style-type: none"> ● Students performing below grade level are not automatically retained ● Transition program offered as an alternative to retention for students who did not master the previous year's grade-level standards.
Limited English proficient program - §20-2-156	Creates a program to help students develop proficiency in the English language, including listening, speaking, reading, and writing.	<ul style="list-style-type: none"> ● Use of innovative instructional model that allows ESOL-endorsed content teachers to provide differentiated instruction ● Flexibility for the exit criteria
Alternative education program - §20-2-154.1	Requires school systems to provide alternative education programs for students who are suspended or who are more likely to succeed in a nontraditional setting. Also stipulates requirements related to earning credit, supervision and counseling, addressing educational and behavioral needs, etc.	<ul style="list-style-type: none"> ● Flexible service models ● Online and blended learning models
Health & Physical Education Program except as prohibited by O.C.G.A. §20-2-82(e) - 160-4-2-12	Requires the local boards to implement comprehensive health and physical education programs that include specific topics such as disease prevention, mental health, and community health. Also requires a minimum of 90 contact hours of instruction at each grade level in K-5 and an annual alcohol and other drug use education program for K-12.	<ul style="list-style-type: none"> ● Waive the required time for elementary PE to provide flexibility for other non-core courses ● Comprehensive sex education is not being implemented with fidelity, but an implementation plan is in place ● Use time for a recess equivalency
Educational Program for Gifted Students - 160-4-2-38	Establishes requirements pertaining to parent notification, referrals, written consent for testing, eligibility criteria, continued reciprocity, curriculum/services, and data collection.	<ul style="list-style-type: none"> ● Waived requirement for the gifted collaborative teacher to have an additional planning period
School Attendance, Compulsory Attendance as it relates to the attendance protocol - §20-2-690.2	Requires a student attendance and school climate committee for each county that must adopt student attendance protocols outlining procedures for identifying, reporting, investigating, and prosecuting attendance violations.	<ul style="list-style-type: none"> ● Discretion is used for unexcused absences with prior approval before automatic submission to the courts ● Waived notification system with sending home letters ● Allow local school leaders to establish protocols
General and career education programs - §20-2-151	Establishes various requirements for general and career education programs including student ages and documentation of retention decisions.	<ul style="list-style-type: none"> ● Flexible service models

<p>Awarding Credit for the purpose of substitution of equivalent or higher-level requirements - 160-5-1-.15</p>	<p>Stipulates that students can earn credit by completing a course on the state-adopted curriculum and earning a 70 or above. Students can also earn up to three units of credit by demonstrating competency on an assessment. Also establishes requirements for awarding units of credit for various circumstances including dual enrollment, CTAE courses, and transfer students.</p>	<ul style="list-style-type: none"> ● Flexibility for allowing credit recovery options ● Flexibility is used for subject area competency criteria
<p>Statewide Passing Score - 160-4-2-.13(2)(a) & (2)(c)</p>	<p>Establishes a minimum passing score of 70 for all subjects in grades 4-12. Also requires that the Georgia Milestones EOC be used as the final exam in courses assessed by a Georgia Milestones EOC and specifies that the score count for 20% of the student's final grade.</p>	<ul style="list-style-type: none"> ● Used for students who are academically behind
<p>Driver education courses - §20-2-151.2</p>	<p>Stipulates that a driver education course in a driver training school with a driver training instructor licensed by the department may be accepted for one-half unit of elective credit.</p>	<ul style="list-style-type: none"> ● Driver education standards are embedded into the health curriculum so all students completing the health course receive 30 hours of driver education
<p>Public School Choice - §20-2-2131</p>	<p>Provides that, space permitting, students can enroll in a public school (within the system) other than the student's assigned school. Also requires systems to annually notify parents of the options, to establish a universal, streamlined process for transfer, and to impose deadlines. Students who transfer to another school must be allowed to attend the school until all grades of the school are completed.</p>	<ul style="list-style-type: none"> ● Flexibility for open enrollment ● No guaranteed spots for transfer students through the grade band (dependent on academic performance, behavior, etc.)
<p>School Councils - §20-2-85, §20-2-86</p>	<p>Requires each school to have a school council. Also requires the local board of education to provide training and stipulates provisions for composition; member withdrawal; term lengths; meeting frequency; meeting minutes; and responsibilities.</p>	<ul style="list-style-type: none"> ● Flexibility with training and meeting requirements ● School councils only at elementary level ● Parent-teacher organizations, principal advisory councils, and other stakeholder groups in lieu of school councils
<p>Instruction in social graces and etiquette - §20-2-187(b)</p>	<p>Authorizes the State Board to prescribe a course of instruction in nutrition, hygiene, etiquette, and the social graces relating to meals.</p>	<ul style="list-style-type: none"> ● Waived the requirement for instruction in social graces and etiquette to focus on social-emotional learning skills and positive behavior interventions and supports
<p>School climate management program §20-2-155</p>	<p>Requires the State Board to establish a state-wide school climate management program to help local schools and systems requesting assistance in developing school climate improvement and management processes.</p>	<p>Although this waiver is listed in strategic waiver contracts and other documents, GaDOE management indicated that this is not waivable by local systems</p>

Financial		
Direct Classroom Expenditures & Expenditure Controls - §20-2-171; 20-2-411	Requires each local school system to spend at least 65% of total operating expenditures on direct classroom expenditures (teacher salaries/benefits, materials & classroom activities), with some exceptions provided. Also requires that public school funds be kept separate and distinct from other funds and used for educational purposes.	<ul style="list-style-type: none"> • Expenditure controls hover between 61-64.5% annually
Categorical Allotment Requirements §20-2-167, 20-2-183 to 20-2-186	Requires systems to spend 90% of funds designated for direct instructional costs on the program/site at which those funds were earned. Also establishes expenditure requirements related to staff and professional development, media center, additional days of instruction, etc.	<ul style="list-style-type: none"> • Additional maintenance and transportation needs • Funds are moved from one category to another to address local needs
QBE Financing except to the extent it relates to funding - §20-2-161	Program weights for QBE formula	It is unclear if/how this waiver can be used
Scheduling for Instruction/Program Enrollment & Appropriations (except to the extent it relates to funding) - §20-2-160	Establishes requirements for FTE counts and authorized programs. For example, a program cannot be indicated for any segment in which a student is not enrolled in an instructional program or has not attended class within the preceding 10 days.	<ul style="list-style-type: none"> • Block scheduling rather six periods • Alternative school program scheduled as half-day for core courses
Common Minimum Facility Requirements - §20-2-260	Establishes requirements pertaining to state capital outlay funds.	<ul style="list-style-type: none"> • Used the waiver for square footage requirements for some spaces, such as media center and cafeteria
State Funded K-8 Subjects and 9-12 Course for Students Entering 9th Grade in 2008 and Subsequent Years (except as it relates to funding) - §20-2-142, 20-2-151, 20-2-160	Relates to prescribed courses and uniformly sequenced content standards adopted by the State Board.	<ul style="list-style-type: none"> • Used to offer certain courses for high school credit in 8th grade
Human Resources		
Class-size and Reporting Requirements §20-2-182	Establishes a maximum class size for each of the regular educational programs in grades K-8. Also requires the State Board to establish system average maximum class sizes for special education, gifted, English for speakers of other languages, remedial, early intervention programs, and CTAE. For each of these programs, the maximum number of students in a period shall not exceed the system average maximum class size for the program by more than two students.	<ul style="list-style-type: none"> • All class categories are increased to plus 5, except gifted classes which are plus 10 • Board members vote on a class size resolution each year • School principals are allowed to determine needs and how that relates to class sizes

<p>Personnel Required 160-5-1-.22</p>	<p>Establishes personnel requirements, including superintendent, curriculum director, school psychologists, school nutrition director, special education director, media specialists, etc. Requirements vary based on system size.</p>	<ul style="list-style-type: none"> ●Waived requirements for certain central office personnel ●No full-time counselor at schools with less than 200 children ●Part-time superintendent
<p>Certification Requirements §20-2-108; §20-2-200</p>	<p>Prohibits schools from employing professional personnel without certificates issued by the Professional Standards Commission (PSC). Also requires superintendents to be certified and classified by the PSC and to receive salaries according to the state board schedule.</p>	<ul style="list-style-type: none"> ● All certification requirements waived except special education ● Used for PE teacher and gifted endorsement ● Used for CTAE positions that are difficult to fill
<p>School Day and Year for Students and Employees §20-2-151; §20-2-160(a); §20-2-168(c)</p>	<p>Requires a minimum 180 school days each fiscal year and authorizes the State Board to define the length of the school day. Allows local boards the discretion to not complete make-up days for up to four days in which schools were closed under specified circumstances (e.g. disaster)</p>	<ul style="list-style-type: none"> ●178 instructional days with 12 professional learning days ●Often waive the number of school days without making up because the system is impacted by hurricanes
<p>Salary Schedule Requirements §20-2-212</p>	<p>Prohibits local units of administration from paying any full-time certificated professional employee a salary less than that prescribed by the state's schedule of minimum salaries. Also establishes requirements pertaining to local salary supplements.</p>	<ul style="list-style-type: none"> ●System-developed salary schedule based on the needs of staff and students and available funding ●Implementation of an Interns as Teachers program that pays interns less than the state minimum
<p>Instructional Extension- §20-2-184.1</p>	<p>Includes provisions related to paying salaries for instructors to provide 20 additional days of instruction for 10% of the FTE count of the respective program. Instructional extension may include Saturday classes, summer school, and instruction beyond the regular school day. Also requires each system to spend 100% of funds designated for additional days of instruction for such costs at the system level.</p>	<ul style="list-style-type: none"> ●Funds have been used to offset expenses in direct instruction ●Waiving summer school for middle and high school
<p>Employment, Conditions of Employment - Duty Free Lunch §20-2-218</p>	<p>Provides that every teacher in grades K-5 who is employed for more than half of the regular school day shall have at least a 30-minute lunch period without any assigned responsibilities.</p>	<ul style="list-style-type: none"> ●No duty-free lunch ●Teachers assigned to lunch duty when staff is short-handed
<p>Use of Guidance Counselor 160-4-8-.05</p>	<p>Stipulates the responsibilities of guidance counselors, including individual counseling and coordination with staff. Also requires that the guidance counselor engage in these activities for a minimum of five of six segments or the equivalent.</p>	<ul style="list-style-type: none"> ●Use of alternative ways to meet counseling needs of students ●Flexibility in the daily role of the counselor

<p>Media Programs 160-4-4-.01</p>	<p>Requires local boards to adopt media policies that establish a media committee at the system level and at each school and that include procedures. Also requires each school to have a media center staff by media personnel.</p>	<ul style="list-style-type: none"> ●Instructional technology specialist has been hired in lieu of a second media specialist and the middle and high school
<p>Fair Dismissal Act §20-2-940, §20-2-948</p>	<p>Establishes reasons for terminating employment contracts and requirements related to providing notice, conducting hearings, and appeals. Also requires local boards of education to consider performance as the primary factor during workforce reductions.</p>	<ul style="list-style-type: none"> ●Waived tenure status when examining factors related to contract renewal
<p>Professional Learning - §20-2-86, §20-2-167, §20-2-182(h), §20-2-204, §20-2-217</p>	<p>Establishes requirements for how professional development funds can be used. Also establishes requirements related to professional and staff development stipends.</p>	<p>No examples were provided</p>
<p>Substitute Teachers Requirements (to the extent it allows for the employment of teachers certified by another state) §20-2-216</p>	<p>Requires local units of administration to employ substitutes with valid teach certificates if available. If no person is available, the administration can employ the person who most closely meets the requirements for certification.</p>	<ul style="list-style-type: none"> ●Long term substitute who is not certified but meets local professional qualifications
<p>School Bus Drivers 160-5-3-.08</p>	<p>Establishes minimum criteria for school bus drivers, including age and licensing, and a minimum salary. Also requires an annual medical examination, initial training program of at least 24 hours, and annual in-service training and safety.</p>	<p>No examples were provided</p>
<p>Multi-year Contracts - §20-2-211</p>	<p>Requires that by May 15th, each local governing board must tender a new contract for the ensuing school year to each teacher/employee certificated by the PSC. If a notice of intended termination has not been given by May 15th, employment shall continue for the ensuing school years unless the employee elects not to accept employment.</p>	<ul style="list-style-type: none"> ●Multi-year contracts are leveraged to recruit and retain highly effective staff at persistently low performing schools
<p>Source: GaDOE documents; state laws and regulations; audit team's survey of strategic waiver systems in fiscal year 2019</p>		

The Performance Audit Division was established in 1971 to conduct in-depth reviews of state-funded programs. Our reviews determine if programs are meeting goals and objectives; measure program results and effectiveness; identify alternate methods to meet goals; evaluate efficiency of resource allocation; assess compliance with laws and regulations; and provide credible management information to decision makers. For more information, contact us at (404)656-2180 or visit our website at www.audits.ga.gov.