

STATE BOARD OF EDUCATION

March 15, 2005

SUBJECT: Consideration of Requests for Waivers by Volusia County School Board

PROPOSED BOARD ACTION

To deny the request for waiver of Section 1001.452(1)(a)1,2, F.S., requiring that formal elections be held for teachers and support staff to serve on School Advisory Councils.

To deny the request for waiver of Section 1001.452(1)(a)4, F.S., requiring that formal elections be held for parent participation on School Advisory Councils.

To deny the request for waiver of Section 1001.452(1)(d)1, F.S., which defines a quorum as a majority of the School Advisory Council membership.

To approve the request for waiver of Section 1001.452(1)(a), F.S., requiring principal verification that the School Advisory Council is composed of members representing the economic community served by the school.

To approve the request for waiver of Section 1008.25(4), F.S., requiring Academic Improvement Plans (AIPs).

To approve the request for waiver of Section 1011.62(5), F.S.; Rule 6A-1.0141, which defines categorical funds spent for categorical purposes.

AUTHORITY FOR STATE BOARD ACTION

Section 1003.62(2), Florida Statutes – Academic Performance Based Charter School Districts.

BACKGROUND INFORMATION

In alignment to Florida's Strategic Imperative #3, Improve Student Rates of Learning, the purpose of a waiver request is to maintain or improve high student performance.

On July 11, 2000, the Volusia County School District entered into a contractual agreement with the State Board of Education (Cabinet) to become a charter school district. The contract became effective as of July 1, 2000 through June 30, 2003. On October 8, 2002, the Volusia County Charter District was formally granted approval by the State Board of Education (Cabinet) of their request for a five-year extension on the contract as of July 1, 2003 through June 30, 2008.

The Volusia County Charter District has requested numerous waivers on behalf of individual schools since the inception of the charter district program. The Department of Education received requests for 26 waivers for schools within the district. Three are

already addressed in contract language or were deemed a local control issue. The remaining waivers requests of 1001.452, F.S., do require State Board action. Section 1003.62(2)(a), Florida Statutes, Academic performance-based charter school districts, provides for the exemption of certain State Board of Education rules and statutes for charter districts if, "...the State Board of Education determines such an exemption will assist the district in maintaining or improving its high-performing status..." Additionally, section 1003.62(2)(a)1-9, Florida Statutes, includes a listing of statutes that may not be waived.

Supporting Documentation Included:

State Board of Education Waiver Action List
Section 1003.62, Florida Statutes; Academic Performance-based Charter Districts

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