

## **STATE BOARD OF EDUCATION**

Action Item  
April 19, 2005

**SUBJECT:** Consideration of Request for Waiver by Palm Beach County School Board

### **PROPOSED BOARD ACTION**

To deny the request for waiver by Palm Beach of Section 1013.46(1)(a), F.S., Publication of legal notice for construction projects.

### **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.

The School Board of Palm Beach County was authorized to operate as a charter school district by action of the State Board of Education on January 21, 2003. The performance contract extends to January 22, 2006 and includes five waivers of state statute and four strands of deregulation that encourage departments and schools to continuously seek ways to remove barriers to improved school and district management and student achievement. The waiver submitted regarding construction projects can not be waived according to Section 1003.62(2)(a)9, Florida Statutes.

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.

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#### **Supporting Documentation Included:**

State Board of Education Waiver Action List

Section 1003.62, Florida Statutes; Academic Performance-based Charter Districts

**Facilitators/Presenters:** Jim Warford, Chancellor K-12