

## **Exhibit B – Flexibility Component of Contract**

### **For the Whitfield County School District**

Under O.C.G.A. § 20-2-80 and SBOE Rule 160-5-1-.33, The Whitfield County School District is seeking flexibility for all its schools from the following state statutes and associated rules in exchange for greater accountability (as outlined in the SWSS/IE<sup>2</sup> Partnership Contract) over the life of a five-year contract which allows for six years of flexibility between the Whitfield County School District Board of Education and the Georgia State Board of Education, except as prohibited by O.C.G.A. § 20-2-82(e).

#### **Priority #1: Student Achievement Flexibility**

- **Flexibility with regards to Educational Programs** (O.C.G.A. § 20-2-151, O.C.G.A. § 20-2-153, O.C.G.A. § 20-2-154, O.C.G.A. § 20-2-154.1, O.C.G.A. § 20-2-155) *A waiver would allow flexibility in staffing, class size, and program delivery/time requirements and models.*
  
- **Flexibility with regards to Program for Limited English Proficient (LEP) Students** (O.C.G.A. § 20-2-156)  
*A waiver would allow the system the flexibility to serve students with Level 1 or 2 Language Proficiency via additional segments.*
  
- **Flexibility with regards to Program Enrollment & Appropriation except to the extent it relates to funding** (O.C.G.A. § 20-2-160, O.C.G.A. § 20-2-168(c))  
*A waiver would allow changes in scheduling for instruction based on the needs of the students and allow students to move on when ready.*
  
- **Flexibility with regards to Promotion and Retention Requirements** (O.C.G.A. § 20-2-283)  
*A waiver would allow flexibility for students who did not meet standards in grades 3, 5, and 8 to have an instructional plan designed as soon as the initial assessment results are received rather than waiting until the end of a re-test.*
  
- **Flexibility with regards to Organization of Schools; Middle School Programs; Schedule** (O.C.G.A. § 20-2-290)  
*A waiver would allow the freedom from the requirement of five hours of instructional time. An example could be to use this waiver to allow Middle Schools to offer a focused advisement time for all students in grades 6-8 during the day based on best practice and the Middle School Improvement Team recommendation.*
  
- **Flexibility with regards to Competencies and Core Curriculum, Online Learning** (O.C.G.A. § 20-2-140.1, O.C.G.A. § 20-2-142)  
*A waiver would allow possible exemption of the new requirement that prescribes a certain percentage of students graduating must do so with at least one online learning class.*

- **Flexibility with regards to Graduation Requirements** for the purpose of substitution of equivalent or higher level requirements which will assist students in acquiring the knowledge and skills necessary to be successful as they continue their education at the postsecondary level and/or enter the workforce (SBOE Rules 160-4-2-.48, 160-4-2-.47)  
*A waiver would allow the district to waive the requirement of 150 seat hours to earn Carnegie Unit credit.*
- **Flexibility with regards to Awarding Units of Credits** for the purpose of substitution of equivalent or higher level requirements which will assist students in acquiring the knowledge and skills necessary to be successful as they continue their education at the postsecondary level and/or enter the workforce (SBOE Rule 160-5-1-.15)
- **Flexibility with regards to Comprehensive Health Physical Education Program (HPE) except as prohibited by O.C.G.A. § 20-2-82(e)** (SBOE Rule 160-4-2-.12)  
*A waiver would allow the district to create additional alternatives for students to meet required Health Physical Education requirements.*
- **Flexibility with regards to use of Guidance Counselor** (SBOE Rule 160-4-8-.05)  
*A waiver would allow flexibility in the use of Guidance Counselors to provide additional student support not currently identified as “counseling.”*
- **Flexibility with regards to Education Program for Gifted Students** (SBOE Rule 160-4-2-.38)  
*A waiver would allow flexibility in the requirements related to staffing, class size and program delivery/time requirements and models to offer a variety of delivery models including advanced content at the elementary level.*
- **Flexibility with regards to School Choice** (O.C.G.A. § 20-2-2131)
- **Flexibility with regards to Statewide Passing Score** (SBOE Rule 160-4-2-.13(2)(a) and (2)(c))

## **Priority #2: Stakeholder Engagement Flexibility**

- **Flexibility with regards to School Attendance, Compulsory Attendance as it relates to the Attendance protocol** (O.C.G.A. § 20-2-690.2)  
*A waiver would allow the district flexibility in marking attendance by allowing students to complete work and/or participate in class online during the hours/days that a student is not physically at school.*
- **Flexibility with regards to School Day and School Year for Students and Employees** (O.C.G.A. § 20-2-151, O.C.G.A. § 20-2-160(a), O.C.G.A. § 20-2-168(c))  
*A waiver would allow flexibility of specific instructional time allotments, such as grades 6-12 to have five and a half hours or 330 minutes to be waived to allow time to be spent in the areas that are a priority for improving student achievement.*
- **Flexibility with regards to School Year** (O.C.G.A. § 20-2-168(c))  
*A waiver would allow flexibility in the structure of providing the equivalent of 180 days that allow the district to offer different schedules for specific educational programs.*

- **Flexibility with regards to Class Size/Staffing** (O.C.G.A § 20-2-182)  
*A waiver would allow flexibility of the requirements related to class size, staffing allotments, caseload, and utilization to increase learning opportunities for all students.*
- **Flexibility with regards to School Councils** (O.C.G.A § 20-2-85, O.C.G.A. § 20-2-86)  
*A waiver would allow flexibility in how school councils are developed and implemented.*

### **Priority Area 3: Organizational Effectiveness Flexibility**

- **Flexibility with regards to QBE Financing except to the extent it relates to funding** (O.C.G.A. § 20-2-161)  
*A waiver would allow the district to maintain the system's earnings while providing flexibility in its application for services as provided through a System Strategic Waiver.*
- **Flexibility with regards to Direct Classroom Expenditure Controls** (O.C.G.A. § 20-2-167 and O.C.G.A. § 20-2-171)  
*A waiver would allow flexibility of expenditure of dollars to be allocated to support the system's strategic plan rather than in required categories.*
- **Flexibility with regards to Categorical Allotment requirements, Article 6 of Chapter 2 of Title 20** (O.C.G.A. § 20-2-167, O.C.G.A. § 20-2-183, O.C.G.A. § 20-2-184, O.C.G.A. § 20-2-185, O.C.G.A. § 20-2-186)  
*A waiver would allow the district to develop a system budget based on the system strategic plan and the needs of students rather than basing the system budget on current categorical allotments.*
- **Flexibility with regards to School Bus Drivers** only as it relates to the salaries for teachers who also drive school buses (O.C.G.A. § 20-2-188(b))
- **Flexibility with regards to Instructional Extension** (O.C.G.A. § 20-2-184.1)

### **Priority Area 4: Learning and Growth Flexibility**

- **Flexibility with regards to Certification requirements** (O.C.G.A. § 20-2-108, O.C.G.A. § 20-2-200, O.C.G.A. § 20-2-201, O.C.G.A. § 20-2-204)  
*A waiver would allow the system flexibility from state certification requirements for certificated staff to allow for the selection of qualified applicants based on content expertise and knowledge.*
- **Flexibility with regards to Salary Schedule requirements** (O.C.G.A. § 20-2-212)  
*A waiver would allow the flexibility from the required use of the current state salary schedule to provide for flexible compensation based on teacher skills and system needs.*
- **Flexibility with regards to Personnel Required** (SBOE Rule 160-5-1-.22)  
*A waiver would allow for system and school personnel to be assigned based on the district's needs rather than state requirements.*
- **Flexibility in regards to Duty Free Lunch** (O.C.G.A § 20-2-218)

*A waiver would allow flexibility for schools to determine the time frame of meeting the duty free lunch requirement.*

- **Media Programs** (SBOE Rule 160-4-4-.01)
- **Professional Learning** (O.C.G.A. § 20-2-217 and O.C.G.A. § 20-2-182(h))
- **Flexibility with regards to Substitute Teachers** (to the extent it allows for the employment of teachers certified by another state) (O.C.G.A. § 20-2-216)
- **Common Minimum Facility Requirements** (to the extent that square footage requirements are not waived in situations where the health and safety of students is jeopardized and only after consultation with Georgia Department of Education Director of Facilities Services, and to the extent that the waiver does not affect capital outlay funding determinations) (O.C.G.A. § 20-2-260)

Revised ~~12/01/2015~~ 08/27/2020