
SECTION L: Education Agency Relations

LA	Education Agency Relations Goals
LB	Relations with Private Schools
LBD	Home Instruction
LC	Charter Schools
LC-E	Charter School Application Addendum
LEA	Student Teachers
LEB	Advanced/Alternative Courses for Credit
LI	Relations with Educational Accreditation Agencies

EDUCATION AGENCY RELATIONS GOALS

The Mecklenburg County School Board will support the endeavors of other educational institutions whose goals are compatible with those of the division.

To the extent appropriate, the school division will utilize the resources of other educational institutions for the benefit of its students and the development of its staff.

The school division will cooperate with educational institutions and agencies in selected areas of research and experimentation which have the potential to increase the effectiveness of teacher preparation or staff development and/or which directly improve the local instructional program. To protect students and teachers from unnecessary intrusions that may disrupt instruction and regular school activities, requests for college students and professors to observe classes or otherwise utilize division students shall be submitted directly to the superintendent.

The school division will strive to improve the climate for education, particularly with reference to expanding the fiscal base, providing for efficient expenditure of funds, and bringing about state or federal legislation which improves education or contributes to division goals.

The school division will cooperate with professional educational organizations whose goals are compatible with those of the division.

Adopted: March 16, 2015

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.:	JHDA	Human Research
	KFB	Administration of Surveys and Questionnaires
	LEA	Student Teachers

RELATIONS WITH PRIVATE SCHOOLS

The School Board and superintendent shall work cooperatively with private schools that serve the community and students in matters of common interest, unless expressly prohibited by state statutes or local school board policy. The superintendent is authorized to consult with officials of these schools to determine areas of mutual concern and interest and to make recommendations to the Board. The School Board will not enter into agreement with any nonpublic school within the division to provide student transportation to and from such schools.

Adopted: March 16, 2015

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78; 22.1-176.1.

HOME INSTRUCTION

The Mecklenburg County School Board recognizes that when the requirements of Va. Code § 22.1-254.1 are complied with instruction of children by their parents is an acceptable alternative form of education under the policy of the Commonwealth of Virginia. Any parent of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday may elect to provide home instruction in lieu of school attendance if the parent

- holds a high school diploma;
- is a teacher of qualifications prescribed by the Board of Education;
- provides a program of study or curriculum which may be delivered through a correspondence course or distance learning program or in any other manner;
- or
- provides evidence that the parent is able to provide an adequate education for the child.

DEFINITION

For purposes of this policy, "parent" means any parent, guardian, legal custodian or other person having control or charge of a child.

NOTIFICATION BY PARENTS

Any parent who elects to provide home instruction in lieu of school attendance shall annually notify the superintendent no later than August 15 of the parent's intention to so instruct the child and provide a description of the curriculum, limited to a list of subjects to be studied during the coming year and evidence of having met one of the criteria for providing home instruction. Any parent who moves into a school division or begins home instruction after the school year has begun shall notify the superintendent of the parent's intention to provide home instruction as soon as practicable and shall comply with the requirements of this policy within thirty days of such notice. The superintendent shall notify the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

EVIDENCE OF PROGRESS

A parent who elects to provide home instruction to a child who is over the age of six as of September 30 of the school year shall provide the superintendent by August 1 following the school year in which the child has received home instruction with either (i) evidence that the child has attained a composite score in or above the fourth stanine any nationally normed standardized achievement test or an equivalent score on the ACT, SAT or PSAT test or (ii) an evaluation or assessment which the superintendent determines to indicate that the child is achieving an adequate level of educational growth and progress, including but not limited to: (a) an evaluation letter from a person licensed to teach in any state, or a person with a master's degree or higher in an academic discipline, having knowledge of the child's academic progress, stating that the

child is achieving an adequate level of educational growth and progress; or (b) a report card or transcript from a community college or college, college distance learning program or home-education correspondence school.

In the event that evidence of progress as required in this subsection is not provided by the parent, the home instruction program for that child may be placed on probation for one year. Parents shall file with the superintendent evidence of their ability to provide an adequate education for their child and a remediation plan for the probationary year which indicates their program is designed to address any educational deficiency. Upon acceptance of such evidence and plan by the superintendent, the home instruction may continue for one probationary year. If the remediation plan and evidence are not accepted or the required evidence of progress is not provided by August 1 following the probationary year, home instruction shall cease and the parent shall make other arrangements for the education of the child which comply with Va. Code § 22.1-254.

IMMUNIZATIONS

Any parent, guardian or other person having control or charge of a child being home instructed, exempted or excused from school attendance shall comply with the immunization requirements provided in Va. Code § 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

Upon request by the superintendent, the parent shall submit to the superintendent documentary proof of immunization in compliance with Va. Code § 32.1-46.

No proof of immunization shall be required of any child upon submission of (i) an affidavit to the superintendent stating that the administration of immunizing agents conflicts with the parent's or guardian's religious tenets or practices or (ii) a written certification from a licensed physician, physician assistant, nurse practitioner, or local health department that one or more of the required immunizations may be detrimental to the child's health, indicating the specific nature of the medical condition or circumstance that contraindicates immunization.

NOTIFICATION TO PARENTS

Students receiving home instruction and their parents will be notified of the availability of Advanced Placement (AP) and Preliminary SAT (PSAT) examinations and the availability of financial assistance to low-income and needy students to take these examinations. Such notice will be given when the parent notifies the division that the student will receive home instruction.

DISCLOSURE OF INFORMATION

Neither the superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of this policy or subdivision B 1 of Va. Code § 22.1-254. Nothing in this policy prohibits the superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

Adopted: March 16, 2015

Revised: July 20, 2015

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2.

Pollard v. Goochland County School Board, No. 3:00CV563 (E.D. Va. Sept. 27, 2001).

Cross Ref.: JO

Student Records

CHARTER SCHOOLS

Purpose

In order to (1) encourage the development of innovative programs; (2) provide opportunities for innovative instruction and student assessment; (3) provide parents and students more choices; (4) provide innovative scheduling, structure and management; (5) encourage the use of performance-based educational programs; (6) establish high standards for teachers and administrators; and (7) develop models for replication in other public schools, the Mecklenburg County School Board receives and considers applications for the establishment of charter schools.

Definition of Charter School

A charter school is a public, nonreligious or non-home-based alternative school located within the Mecklenburg County School Division or operated jointly by multiple school divisions. A charter school may be created as a new school or by converting all or part of an existing public school. Conversions of private schools or home-based programs are not permitted. A charter school for at-risk pupils may be established as a residential school.

In establishing public charter schools within the division, the School Board gives priority to public charter school applications designed to increase the educational opportunities of at-risk students, particularly those at-risk students currently served by schools that have not achieved full accreditation.

Enrollment in a charter school is open to any child who resides within the school division or, in the case of a regional public charter school, within any of the relevant school divisions, through a lottery process on a space-available basis, except that in the case of the conversion of an existing public school, students who attend the school and the siblings of such students are given the opportunity to enroll in advance of the lottery process.

All charter schools are subject to federal and state laws, regulations and constitutional provisions prohibiting discrimination in admissions, employment or operation on the basis of disability, race, creed, color, gender, national origin, religion, ancestry or the need for special education services. Charter schools are also subject to any court-ordered desegregation plan in effect in the school division. Charter schools, like all public schools, are also subject to all federal education requirements.

Application Process

Any person, group or organization may submit an application for the formation of a charter school to the Mecklenburg County School Board. Prior to submitting a charter school application to the School Board, a public charter school applicant shall submit its proposed charter application to the Board of Education for review and comment and a determination as to whether the application meets the approval criteria developed by the Board of Education. Charter School applications initiated by the Mecklenburg County School Board must conform to the Virginia Public Charter School Application.

However, such applications are not required to receive Board of Education review and comment prior to action by the School Board.

The Board of Education examines all applications, other than those initiated by the School Board, for feasibility, curriculum, financial soundness, and other objective criteria it may establish, consistent with existing state law. The Board of Education's review and comment is for the purpose of ensuring that the application conforms with such criteria. The school division may work with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.

All charter school applicants, other than those initiated by the School Board, must also complete the application addendum in the format provided in Exhibit LC-E. The School Board shall establish a "review team" consisting of appropriate school personnel, a local business representative and a resident charter school proponent to evaluate charter school applications. The School Board shall designate the chairman of the review team as the contact person for answering questions about the application process and receiving applications.¹ The review team shall work cooperatively with applicants for charter schools. When an application is incomplete, the review team shall request the necessary information; an incomplete application is not grounds for denying a charter. However, if the applicant does not provide the necessary information within a reasonable timeframe (established by the review team)² then the application may be denied.

The review team shall (1) recommend to the School Board appropriate criteria for reviewing charter school applications; (2) evaluate all charter school applications based on the review criteria adopted by the School Board; (3) recommend one of the following options to the School Board for each application: approve, reject, place on a waiting list or return with suggestions for improvement; (4) monitor charter school progress; and (5) make recommendations for revocation, renewal or non-renewal of charter contracts.

The Mecklenburg County School Board shall establish a regulation for receiving, reviewing and ruling on applications for the establishment of charter schools. Such regulation must include a timeline for the application and review process and the means for reviewing and evaluating each application, including the criteria on which the decision to grant or deny a charter will be based.³ To provide appropriate opportunity for input from parents, teachers, citizens, and other interested parties and to obtain information to assist the School Board in its decision to grant or deny a public charter school application, the regulation will provide for public notice and the receipt of comment on public charter school applications. The School Board shall give at least 14 days' notice of its intent to receive public comment on an application. A copy of the regulation, including the review criteria, shall be posted on the division's website and a copy shall be made available to any interested party upon request.

School Board Decision

If the School Board denies a public charter school application, or revokes or fails to renew a charter agreement, it shall provide to the applicant or grantee its reasons, in writing, for such decision, and it shall post such reasons on its website. A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, is entitled to petition the School Board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, revoked, or not renewed. Such reconsideration shall be decided within 60 days of the filing of the petition.

The School Board shall establish a process for reviewing petitions of reconsideration, which shall include an opportunity for public comment. The petition of reconsideration may include an amended application based on the reasons given by the School Board for such decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation or non-renewal.

Upon reconsideration, the decision of the School Board to grant or deny a public charter school application or to revoke or fail to renew a charter agreement is final and not subject to appeal.

Nothing in this policy prohibits an applicant whose application has been denied or a grantee whose charter has been revoked or not renewed from submitting a new application.

Charter Contract

Upon approval of a charter application, the School Board and the management committee of the charter school shall enter into a contract which contains all agreements between the School Board and the charter school; the approved application shall serve as the basis for the contract.⁴ The charter contract shall also include other provisions negotiated by the School Board or its designee. A charter may be granted for up to five years. Any material revision of the charter contract shall be made in writing and must be approved by the School Board and the charter school.

Waivers of School Board Policy and State Regulation

A charter school may operate free from School Board policies and state regulations, except the Standards of Quality, the Standards of Accreditation and Standards of Learning, as agreed in the charter contract. The School Board shall designate in its regulation governing charter schools which School Board policies may not be waived. The School Board shall request from the Board of Education, on behalf of its charter schools, waivers from state regulation contained in each approved charter application. If the charter school is designed to increase the opportunities of at-risk students, then the School Board shall request that the Board of Education approve an Individual School Accreditation Plan.

Management and Operation

A charter school shall be administered and operated by a management committee in the manner agreed to in the charter contract. The management committee shall be composed of parents of students enrolled in the school, teachers and administrators working in the school and representatives of any community sponsors, or any combination thereof. A charter school shall be responsible for its own operations. However, a charter school may negotiate and contract with the School Board, or any other third party, for the provision of necessary services; services provided by the School Board must be provided at cost.

The applicant and members of the management committee, administrators, and other personnel serving in a public charter school must disclose any ownership or financial interest they may have in renovating, lending, granting, or leasing public charter school facilities.

Personnel

Charter school personnel shall be selected as agreed in the charter contract. Such personnel may, but are not required, to be employees of the School Board. However, all charter school personnel shall be subject to the provisions of §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4.

Professional, licensed employees currently employed by the School Board may volunteer for assignment to a charter school and may be assigned by the School Board to a charter school for one contract year and reassigned annually upon the request of the employee and management committee. Professional, licensed employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to noncharter schools. Professional, licensed personnel who request assignment to a noncharter school or who are not recommended for reassignment in the charter school, other than for reasons cited in § 22.1-307 of the Code of Virginia, shall be transferred to a noncharter school according to School Board policy.⁵

The School Board may employ health, mental health, social services and other related personnel to serve in residential charter schools for at-risk students as determined in the charter agreement. However, the School Board is not required to fund the residential or other services provided by a residential charter school.

The School Board has the final authority to assign professional, licensed personnel to charter or other schools within the division.⁶

Funding

Charter schools shall be funded as provided by law and negotiated in the charter contract.

Revocation and Renewal of the Charter Contract⁷

The School Board may revoke a charter contract if

- the charter school violates the conditions, standards or procedures established in the application;
- the charter school violates a material term of the charter contract (for example, failing to provide required reports to the School Board);⁸
- the charter school fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;
- the charter school fails to meet generally accepted standards of fiscal management; or
- the charter school violates any provision of law from which the public charter school was not specifically exempted.

A charter contract may be renewed for up to five years. The management committee must apply to renew the charter by [INSERT DATE] of the school year the charter expires.⁹

The application for renewal shall contain

- a report on the progress of the charter school in achieving the goals, objectives, program and performance standards for students and other conditions and terms the School Board required in the charter
- a financial statement, on forms prescribed by the Board of Education, disclosing the costs of administration, instruction and other spending categories which is written in a way to allow the School Board and the public to compare such costs to the costs of other schools and comparable organizations
- other information the School Board may require

⁷ Va. Code § 22.1-212.12(C) states that nothing in the section shall be construed to restrict the authority of the School Board to decline to renew a charter contract. This section suggests that the School Board is not limited to the statutory criteria in making a renewal decision. However, if other criteria are used in the renewal decision, then they should be stated in policy or regulation.

⁸ Although not explicitly stated in the law, a charter could be revoked for a material violation of its terms.
FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM THE FINAL POLICY.

⁹ There is no statutory deadline for submitting a renewal application. Wisdom suggests that the renewal application should be submitted at least six months before the expiration of the charter contract. Therefore, if the charter is not renewed, the conclusion of financial and administrative operations, including the reassignment of personnel may be accomplished.

If a charter contract is revoked or not renewed, or a charter school is dissolved, the management committee shall be responsible for all financial obligations of the charter school.¹⁰

Reports

The School Board reports the following to the Board of Education:

- the grant or denial of charter applications, applications for renewal, and the revocation of any charter contract; for any such denial or revocation, the report to the Board of Education contains documentation as to the reason for the denial or revocation
- whether a public charter school is designed to increase the educational opportunities of at-risk students

The Board of Education will report the number of public charter schools established in Virginia, and the number of charters denied, in its annual report to the Governor and the General Assembly.

Adopted: March 16, 2015

Legal Refs: 20 U.S.C. § 6311(b)(1)(B).

Code of Virginia, 1950, as amended, § 22.1-212.5 et seq.

MECKLENBURG COUNTY PUBLIC SCHOOL'S CHARTER SCHOOL APPLICATION ADDENDUM

Any person, group or organization may submit an application for the formation of a charter school. Applicants must follow state law and School Board policy regarding charter schools. A complete **Mecklenburg County Public School** Charter School Application ("Application") consists of (i) the Applicant's *Virginia Public Charter School Application* package submitted to the State Board of Education, (ii) the result of the State Board of Education's review of the Applicant's state application, and (iii) the **Mecklenburg County Public School Charter School Application Addendum** prepared in accordance with this policy.

Applications must be received by the **Assistant Superintendent of Instruction**¹ on or before **October 1** prior to the year in which the charter school desires to open. An original plus **two** copies of the application must be submitted. An application fee of shall be submitted with the application. Applicants must follow the application addendum format provided below.

I. Applicant Information

List the name, address, phone number and qualifications of the applicant(s) and designate an applicant contact person.

II. Facility

Describe the facility(ies) to be used for the charter school or the plan for the acquisition of a facility. If the facility is not property of the school division, then the following must be provided: (1) a certificate of occupancy; (2) a health inspection certificate; (3) an annual fire certificate of inspection; (4) proof of compliance with federal, state and local health and safety laws and regulations; and (5) a copy of the lease or contract under which the charter school will use the facility. If the facility is property of the school division, then describe plans, if any, for alteration or renovation.²

III. Services

List the services and their estimated costs that the applicant wishes the School Board to provide; for example, food service, payroll or conducting criminal background checks.³ Also, list services and their estimated costs that will be provided by others.

IV. Timeline

Provide a detailed timeline, identifying each step required to establish the charter school, including, but not limited to, staff hiring, location and purchase of materials, implementing the evaluation plan, obtaining necessary services, opening an appropriate

facility and consulting with experts, if necessary. **Please remember that, as with establishing Regional Vocational and Governor's Schools, it will take at least 8-12 months to implement the proposal.**

V. Health and Safety

Describe the procedures the charter school will implement to ensure the health and safety of the students and employees, including how and if the management committee will conduct a state criminal record check on all employees; how the charter school will conduct fingerprinting and federal criminal record checks, if applicable; how the charter school will comply with the requirement to report child abuse; and how the charter school will comply with Occupational Safety & Health Act requirements.

VI. Indemnity

Assure that the School Board will be defended, held harmless and indemnified against any claim, action, loss, damage, injury, liability, cost or expense of any kind as a result of the operation of the charter school or actions by its agents, employees, invitees or contractors

VII. Renewal

Assure that if the charter school wants to renew its contract, it shall apply at least six months prior to the expiration of the contract.

VIII. Emergency Displacement Plan: Pupils and Employees

Describe the plan for the placement of students and employees if the charter school facility is destroyed (e.g. by flood or fire), unable to be occupied or dissolved for any reason.

IX. Management and Operation

Describe the management and operation of the charter school, including the nature and extent of parental, professional educator and community involvement. List the names and addresses of the proposed management committee. This section should include (1) a detailed description of the relationship between the management committee and the local school board, including the charter school spokesperson (i.e. who is accountable to the school board); (2) how the charter school will be accountable to the public, including a plan for compliance with the Virginia Freedom of Information Act, the Virginia Public Records Act, and reporting requirements; (3) how the management committee is selected and its relationship to the teachers and administrators; (4) a description of the rules and procedures followed to arrive at policy and operational decisions; and (5) summaries of the job descriptions of key personnel, including the school leader/principal.

X. Financial Plan: Evidence of Economical Soundness, Proposed Budget and

Annual Audit

Provide a budget and any other information that illustrates the proposed charter school is economically sound for both the charter school and the school division. Include detailed sources of revenue and expenditures for the proposed term of the charter (at most five years) and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the school division, will be conducted. Anticipated gifts, grants or donations and a student fee schedule should be included.⁴

XI. Legal Liability and Insurance Coverage

Describe the arrangement between the charter school and the School Board regarding their respective legal liability and applicable insurance coverage.⁵ Insurance coverage should include health, property and casualty (automobile liability, general liability, property, officer and employee liability) and workers' compensation.

XII. Waivers

Describe and justify any waiver from School Board policies and state regulations that the charter school requests. The Standards of Quality, and by reference the Standards of Accreditation and Standards of Learning, may not be waived. **Please note that state law only allows waivers of policy and regulation. With the exception of the Virginia Public Procurement Act, no waiver of state statutes or federal statutes or regulations is permitted.**

XIII. Discrimination

Assure that the charter school will follow state and federal law prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or the need for special education services and shall be subject to any court-ordered desegregation plan in effect in the school division.

XIV. Signatures

The Applicant hereby certifies that the information and assurances contained within the *Virginia Public Charter School Application* submitted on behalf of the proposed charter school to the Virginia Board of Education and the information contained in this *Public Charter School Application Addendum* is correct.

Name of Authorized Official:

Title:

Signature of Authorized Official:

Date:

STUDENT TEACHERS

The Mecklenburg County School Board cooperates with accredited colleges and universities to provide opportunities for student teaching in accordance with the following guidelines:

1. The first responsibility of the supervising teacher is the education of the students for whom he is responsible.
2. Student teachers will be under the administrative direction of the principal of the school to which they are assigned.
3. Teachers who serve as supervising teachers will have at least three years of teaching experience, with at least one of those years having been in the school to which the student teacher is assigned.
4. All teachers who serve as supervising teachers will be recommended by the principal of the school to the superintendent or designee for approval.
5. A class will have no more than one student teacher during the regular school year.
6. No supervising teacher will have a student teacher assigned to him for more than one semester during the regular school year.
7. A principal may reject or terminate any student teacher who has a negative effect on the instruction or welfare of students.
8. Information concerning students may be available to student teachers at the discretion of the supervising teacher and/or principal. Student teachers will respect the confidential nature of information provided.
9. Student teachers will follow all the policies and regulations of the Mecklenburg County School Board that apply to teachers.

Adopted: March 16, 2015

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.: JO Student Records
 KN Sex Offender Registry Notification

ADVANCED/ALTERNATIVE COURSES FOR CREDIT

Mecklenburg County School Board will enter into an agreement for postsecondary degree attainment with a community college in the Commonwealth specifying the options for students to complete an associate's degree or a one-year Uniform Certificate of General Studies from the community college concurrent with a high school diploma. The agreement will specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

Beginning in the middle school years, students will be counseled on opportunities for beginning postsecondary education and opportunities for obtaining industry certifications, occupational competency credentials, or professional licenses in a career and technical education field prior to high school graduation. Such opportunities will include access to at least three Advanced Placement courses or three college-level courses for degree credit. Students taking advantage of such opportunities shall not be denied participation in school activities for which they are otherwise eligible. Wherever possible, students will be encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit (dual enrollment), under the following conditions:

- Written approval of the high school principal prior to participation in dual enrollment must be obtained.
- The college must accept the student for admission to the course or courses.
- The course or courses must be given by the college for degree credits (no remedial courses will be accepted).

Adopted: March 16, 2015

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1.

8 VAC 20-131-140.

Cross Ref.: IGBI Advanced Placement Classes and Special Programs

IKF Graduation Requirements

RELATIONS WITH EDUCATIONAL ACCREDITATION AGENCIES

All Mecklenburg County Public Schools shall be accredited according to standards developed by the Board of Education. The School Board will review the accreditation status of each school in the division annually in a public session of a board meeting.

The School Board will recognize individual schools under the Virginia Index of Performance (VIP) program established by the Board of Education to recognize and reward fully accredited schools that make significant progress toward achieving advanced proficiency levels in reading, mathematics, science, and history and social science, and other indicators of school and student performance that are aligned with Virginia's goals for public education. The recognition may include public announcements, media releases, and other appropriate recognition.

The School Board may ask the Board of Education for release from state regulations or, on behalf of one or more of its schools, for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for certain other schools by the Standards of Accreditation pursuant to 8 VAC 20-131-280 C. A request for a waiver from state regulations that are not (i) mandated by state or federal law or (ii) designed to promote health or safety will be made by the superintendent and chairman of the School Board on behalf of the School Board. The waiver request will describe how release from state regulations is designed to increase the quality of instruction and improve the achievement of students in the affected school or schools.

The School Board, by the superintendent and chairman of the School Board, may also request that the Board of Education grant waivers of specific requirements in Va. Code § [22.1-253.13:2](#), permitting the School Board to assign instructional personnel to the schools with the greatest needs, so long as the school division employs a sufficient number of personnel divisionwide to meet the total number required by Va. Code § [22.1-253.13:2](#) and all pupil/teacher ratios and class size maximums set forth in subsection C of Va. Code § [22.1-253.13:2](#) are met. In its request, the School Board will demonstrate that the waivers from specific Standards of Quality staffing standards will increase the quality of instruction and improve the achievement of students in the affected school or schools.

Adopted: March 16, 2015

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-19, 22.1-253.13:3, 22.1-253.13:9.