

Waiver of State Law and Regulation

The district believes that many state laws and regulations impede the district's progress toward achieving its mission. Therefore, the superintendent shall work with district legal counsel, the district accountability committee and school principals to:

1. Determine which state laws and regulations, if waived, would enhance educational opportunity and quality within the school district and reduce or eliminate costs that are significantly limiting educational opportunity within the district. This determination shall be made on a school-by-school basis and a district-wide basis.
2. Make recommendations to the Board regarding which state laws and regulations should be considered for waiver.

The superintendent must consider whether to apply for waivers in a public Board meeting that includes a public hearing. The superintendent shall consult with the district accountability committee concerning the intent to seek waivers at least 60 days prior to the scheduled public hearing.

In the Board meeting, which includes a public hearing, the Board shall adopt a resolution stating the district's intent to apply for waivers and specifying the statutes or rules for which the district will request waivers. In the waiver application, the superintendent shall state the manner in which the district will comply with the intent of the waived rule or statute and be accountable to the State Board of Education.

The superintendent shall post notice of the public meeting in three public places within the district not less than 30 days prior to the meeting. The notice shall include a description of the waivers to be considered. If there is a newspaper published in the county, the superintendent shall also publish notice once a week for four weeks prior to the meeting.

The district shall post on its website a list of the statutes for which it has received a waiver from the State Board, in accordance with state law. This list shall be updated within 30 days after a waiver is revoked or a new waiver is granted.

Adopted by the superintendent: prior to 2018

Revised and recoded by the superintendent: July 17, 2019

LEGAL REFS.: C.R.S. 22-2-117 (*state board power to grant waivers*)
C.R.S. 22-44-305 (*district must post waivers of state law*)
1 CCR 301-35, Rules 2217-R-1.00 *et seq.* (*waiver rules*)

CROSS REFS.:

Board policy:

EL-6, Educational Program

Administrative policy:

AE, Accountability/Commitment to Accomplishment

Weld County School District Re-3J, Hudson, Colorado