

Waiver of State Law and Regulation

The Board of Education believes that many state laws and regulations impede the district's progress toward achieving its mission. Therefore, the Board directs the superintendent to 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 the Board should consider for waiver.

The Board must consider whether to apply for waivers in a public meeting that includes a public hearing. The Board 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 Board's intent to apply for waivers and specifying the statutes or rules for which the Board will request waivers. In the waiver application, the Board 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 Board 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 Board 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: June 26, 2001
Revised: September 25, 2007
Revised: February 9, 2016
Revised: September 25, 2018

File: AEE*

LEGAL REF.: 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-1.00etseq. (*waiver rules*)
CROSS REF.: AE, Accountability/Commitment to Accomplishment

Garfield School District No. Re-2 Rifle, CO