

Metcalf County waiver requests:

1. Waiver allowing “for performance based measures on specified students. Students will need to be able to use on-line and blended learning alternatives to complete the appropriate course work. This may be accomplished out of sequence of the normal course progression and may not follow the normal school year schedule. It will be developed and delivered to the student based upon individual need.

Graduation requirement – Course of studies.”

This waiver request by the district cites 704 KAR 3:305 but appears to be referencing the minimum school term to create flexibility for the school calendar, with various configurations of days and hours and minimum time worked to be equivalent to 170 instructional days and 1,062 instructional hour requirements with a performance-based learning model under 704 KAR 3:305.

KDE RECOMMENDS APPROVAL to the extent permitted under KRS 156.108 and KRS 160.107 and with terms to be established in the memorandum of understanding with the district.

2. Waiver of “704 KAR 3:305 – Allowing specified students to deviate from state prescribed course mandates at the high school. Each student will have a detailed Individual Learning Plan justifying the need for such exemptions.”

KDE RECOMMENDS APPROVAL to the extent permitted under KRS 156.108 and KRS 160.107 and with terms to be established in the memorandum of understanding with the district.

3. “Waiver of 704 KAR 3:410 – Allowing for preschool students to participate in organized academic endeavors and be mixed with older students when appropriate.”

KDE RECOMMENDS APPROVAL to the extent permitted under KRS 156.108 and KRS 160.107 and with terms to be established in the memorandum of understanding with the district.

4. Waiver of Education Professional Standards Board (EPSB) certification restrictions on subject areas so current teachers can teach additional subjects in which there may not be an associated or recognized certificate offered through EPSB. The district cited 16 KAR 2:010, an EPSB regulation, in this waiver request.

KDE RECOMMENDS DENIAL BUT HAS INFORMATION ON COMMUNICATION WITH EPSB - KRS 156.108 and KRS 160.107 do not grant the Kentucky Board of Education waiver authority over EPSB statutes and regulations. The Kentucky Board of Education is without authority to waive the EPSB certification requirements. As they did with the first group of Districts of Innovation, EPSB will meet with district staff following the approval as a District of Innovation and address each certification request individually.

This process was very successful last year, with the EPSB able to find solutions to the majority of the districts' requests. We anticipate the same result this year.