



STATE OF SOUTH CAROLINA DEPARTMENT OF EDUCATION

MOLLY M. SPEARMAN
STATE SUPERINTENDENT OF EDUCATION

MEMORANDUM

TO: District Superintendents

FROM: Darlene Prevatt, Team Leader
State Accountability

DATE: May 9, 2016

RE: State Board of Education's Waiver Process

The South Carolina Department of Education (SCDE) supports innovations that provide for increased student achievement through college-and-career-ready programs to meet the vision of the [Profile of the South Carolina Graduate](#). Occasionally, state statutes, State Board of Education (SBE) regulations, or SCDE policies may seem to impede the implementation of educational innovations. When this occurs, State Accountability is able to present waiver requests before the SBE.

The SBE has the authority to waive regulations pursuant to R. 43-261 (C) District and School Planning which states:

Upon request of a district board of trustees or its designee, the State Board of Education may waive any regulation that would impede the implementation of an approved district strategic plan or school renewal plan.

Generally, state statutes may not be waived unless the statute explicitly grants the SBE authority to do so.

Waiver Process

- All waivers must be requested in writing, signed by the local superintendent, and approved by the local school board. The waiver request must also reference the district's strategic plan and any applicable school's renewal plan. Requests are to be made prior to implementing the innovations or activities for which the waiver is written. "After the fact" waivers are discouraged.
- The SBE's Policy and Legislative Committee (morning) reviews all waiver requests and then the waivers are put forth to the full SBE (afternoon). District and/or school representatives are welcome to attend the SBE meetings and may also speak about their waiver.
- Generally, waiver requests are granted for the duration of the district's Strategic Plan.
- SBE meetings are held on the second Tuesday of most months. Waiver requests must be

submitted to State Accountability **60 days** prior to the SBE meeting date. This time allows for processing and gives SBE members time to review the requests in advance. Please reference the chart below.

Written Waiver Request Due Date	Earliest Possible Board Meeting Date
<i>May 11, 2016*</i>	<i>August 9, 2016*</i>
July 15, 2016	September 13, 2016
August 12, 2016	October 11, 2016
September 9, 2016	November 8, 2016
October 14, 2016	December 13, 2016
November 11, 2016	January 10, 2017
December 16, 2016	February 14, 2017
January 13, 2017	March 14, 2017
February 10, 2017	April 11, 2017
March 10, 2017	May 9, 2017
April 14, 2017	June 13, 2017
<i>May 12, 2017**</i>	<i>July 11, 2017**</i>
June 9, 2017	August 8, 2017

If you wish to submit a waiver to the SBE or would like to explore whether a waiver is needed, contact one of the following:

Darlene Prevatt (Team Leader) (803) 734-3477, dprevatt@ed.sc.gov

Nicole Ivery (803) 734-6268, nivery@ed.sc.gov

Roy Stehle (Director) (803) 734-8118, rstehle@ed.sc.gov

*** Districts seeking waivers before the start of the 2016-17 school year are advised to have the request submitted as soon as possible to meet the May 11, 2016 deadline for the August 9, 2016 SBE meeting.**

****** It has not yet been determined if the SBE will meet on July 11, 2017. In the event the meeting is not held, any waivers submitted within that time will be placed on the August agenda.