

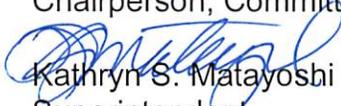


STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

November 3, 2015

TO: The Honorable Patricia Halagao
Chairperson, Committee on Student Achievement

FROM: 
Kathryn S. Matayoshi
Superintendent

SUBJECT: **Committee Action on Board of Education Policy 500.20, School
Community Council Waivers and School Community Council
Exceptions**

1. RECOMMENDATION

The Department of Education (Department) is recommending revisions to a set of student achievement-related policies, which were a part of the Board of Education's policy audit process for which there was a Permitted Interaction Group (PIG) which proposed amendments to current board policies. The list of policies was noticed at the October 6, 2015 Student Achievement Committee (SAC) meeting.

The Department recommends that SAC approve proposed Board Policy 500.20, School Community Council Waivers and School Community Council Exceptions (Exhibit A). The recommended changes incorporate changes proposed by the PIG and based on Department review. The recommended changes are:

- Adding consistent references to the Department and Board.
- Removing list of "Generic" exceptions: Exceptions are approved by the Board, and the recommendation for approval indicates whether an exception should be identified as "generic." Rather than attach the list of "generic exceptions" to the board policy, the Department will maintain a list of exceptions on its website.

2. RECOMMENDED EFFECTIVE DATE

The Department recommends that SAC approve the policies as described in section 1.0, with immediate effective and compliance dates, as the policy revisions do not have an impact on current school, complex area, or state office activities.

3. RECOMMENDED COMPLIANCE DATE (if different from the effective date)

See section 2.0

4. DISCUSSION (if different from the effective date)

a. Conditions leading to the recommendation

The Department used a cross-office strategy to review and, where applicable, provide proposed revisions to the policies listed above. The proposed Department revisions provide additional consistency in language and references to be current and/or to bring the policies up to date with current implementation status.

b. Previous action of the Board on the same or similar matter

On May 19, 2015, the Finance and Infrastructure Committee recommended deferring the policy to the Student Achievement Committee.

c. Other policies affected

No other policies are affected, at this time.

d. Arguments in support of the recommendation

The Department's recommendations for changes are non-substantive, updating the changes recommended by the PIG to be current and consistent. The revisions proposed by the Department and the Board's Policy Audit group updates the previous Board policy.

e. Arguments against the recommendation

Removing the first bullet point could be perceived as a reducing support for school-based professional development days. However, the current contract for ten-month teachers supports nine non-student days and 27 hours for teacher training and planning for all teachers statewide. The Department is committed to supporting teachers with professional learning time and opportunities.

f. Other agencies or departments of the State of Hawaii involved in the action

No other agencies or departments of the State of Hawaii are involved in this action.

g. Possible reaction of the public, professional organizations, unions, DOE staff and/or others to the recommendation

Possible reactions are described in section 4.e of this memo

h. Educational implications

No changes are anticipated since these revisions maintain the substance and intent of current policies, while aligning them to current practice and addressing minor copyedits.

i. Personnel implications

No personnel implications identified, at this time.

j. Facilities implications

No facilities implications identified, at this time.

k. Financial implications

No financial implications identified, at this time.

4. OTHER SUPPLEMENTARY RECOMMENDATIONS

No supplemental recommendations, at this time.

TOC:SS:la

Attachment: Exhibit A – Proposed Policy 500.20

c: Office of Strategy, Innovation and Performance

POLICY 500.20

SCHOOL COMMUNITY COUNCIL WAIVERS AND SCHOOL COMMUNITY COUNCIL EXCEPTIONS
[POLICY]

The Board [~~of Education (Board)~~] has established procedures whereby School Community Councils (SCC), upon application to the Board, may be granted waivers from specific Board policies or rules and/or may be granted exceptions to specific provisions of labor agreements to which the Board is a signatory. The Department [~~of Education (Department)~~] shall administer the procedures and make them widely available to the public.

Requests for waivers from rules not under the direct control of the Board shall be forwarded to the appropriate governmental agency by the Department.

Waivers and exceptions are designed to enhance flexibility in order to facilitate school improvement. Schools are encouraged to explore alternate solutions before seeking waivers or exceptions to collective bargaining agreements.

Schools shall ensure that requests for waivers and exceptions align with their respective school's Academic and Financial Plan and demonstrate how the waiver or exception will improve student learning and increase student achievement.

To facilitate its commitment to School Community Councils and to make the process of obtaining waivers less burdensome and less time-consuming, the Board hereby establishes the category, "Generic Waiver and/or Exception" to which the Board may assign any request.

Generic waivers and/or exceptions have been found by the Board to have sufficient merit or be sufficiently routine so as to justify automatic approval* upon application by a school. The Superintendent shall maintain an up-to-date list of SCC Waivers and SCC Exceptions that have been designated "Generic" by the Board, and shall approve [~~upon receipt,~~] all requests from schools for such waivers or exceptions.* [~~A list of SCC Waivers and SCC Exceptions, along with the stipulations for automatic approval, that have been designated "Generic" by the Board, is provided in the attachment.~~]

The Board, for reasons it finds appropriate, may remove the "Generic" designation from a waiver or exception at any time without necessarily affecting the status of schools previously granted such waivers or exceptions under this policy.

All requests for waivers or exceptions not designated by the Board to be "Generic" shall require Board approval.

*In the case of SCC exceptions to the provisions of a labor agreement to which the Board is a

signatory, such approval indicates only Board agreement. The exception also requires union agreement.

Approved: 10/07/04; Amended: 05/05/05; 01/19/06

GENERIC WAIVERS/EXCEPTIONS

[1. ~~Creating No More Than Two (2) Staff Development Days by Adjusting the School's Calendar (October 24, 1996)~~

The following stipulations shall apply:

- The school shall submit a chronology of involvement that documents community support for this initiative;*
- An evaluation shall be conducted to include the use of student achievement data and full-day teacher attendance information, and the results shall be available as a public document;*
- The complex area superintendent shall review the request to assure that the request is in alignment with the school's Academic and Financial Plan;*
- There shall be no additional cost to the Department of Education; and*
- There shall be a definite plan/agenda for the time spent on staff development.]*

[Note: Schools shall be allowed to request one (1) additional Waiver Day to the School Year 2005-2006 second semester calendar.

The following stipulations shall apply:

- Only schools that have already purchased and/or contracted consultant services for all of their four (4) Planning/Collaboration Days and zero (0) to two (2) Waiver Days may request one (1) additional Waiver Day for Spring 2006; and*
- This generic waiver/exception shall apply only to School Year 2005-2006.]*

[2]1. ~~Withholding the Posting of Probationary Teacher Positions to Retain Probationary Teachers (October 24, 1996)~~

[3]2. ~~Distributing Grade Level Chairpersons' Pay Differentials to Other Faculty Members (November 5, 1998)~~

[4]3. ~~Reporting Quarterly Grades for Schools (November 5, 1998)~~

The following stipulations shall apply:

- ~~The school shall be flexible to accommodate students who need up to the last day of the quarter to turn in their work; and~~*
- ~~This expectation shall not be punitive on its application to grades.~~*

BOLD (Blue) = PIG Edits

Italics = Department edits