

## **Exhibit B – Flexibility Component of Contract**

### **Miller County School District**

Under O.C.G.A. § 20-2-80 and SBOE Rule 160-5-1-.33, the Miller County School District is seeking flexibility for all its schools from the following state statutes and associated rules in exchange for greater accountability (as outlined in the SWSS/IE2 Partnership Contract) over the life of a five-year contract which allows for six years of flexibility between the Miller County School District Board of Education and the Georgia State Board of Education, except as prohibited in O.C.G.A. § 20-2-82(e).

- **O.C.G.A. § 20-2-108**
- **O.C.G.A. § 20-2-140.1**
- **O.C.G.A. § 20-2-142**
- **O.C.G.A. § 20-2-151**
- **O.C.G.A. § 20-2-153**
- **O.C.G.A. § 20-2-154**
- **O.C.G.A. § 20-2-154.1**
- **O.C.G.A. § 20-2-155**
- **O.C.G.A. § 20-2-156**
- **O.C.G.A. § 20-2-160** (except to the extent it relates to funding)
- **O.C.G.A. § 20-2-161** (except to the extent it relates to funding)
- **O.C.G.A. § 20-2-165** (except to the extent it relates to funding)
- **O.C.G.A. § 20-2-167**
- **O.C.G.A. § 20-2-168(c)**
- **O.C.G.A. § 20-2-171**
- **O.C.G.A. § 20-2-182**
- **O.C.G.A. § 20-2-183**
- **O.C.G.A. § 20-2-184**
- **O.C.G.A. § 20-2-184.1**
- **O.C.G.A. § 20-2-185**
- **O.C.G.A. § 20-2-186**
- **O.C.G.A. § 20-2-200**
- **O.C.G.A. § 20-2-201**
- **O.C.G.A. § 20-2-204**
- **O.C.G.A. § 20-2-212**
- **O.C.G.A. § 20-2-283**
- **O.C.G.A. § 20-2-290**
- **O.C.G.A. § 20-2-690.2**
- **SBOE Rule 160-4-2-.12** (except as prohibited by O.C.G.A. § 20-2-82(e))
- **SBOE Rule 160-4-2-.38**
- **SBOE Rule 160-4-2-.48** (Graduation Requirements for the purpose of substitution of equivalent or higher level requirements which will assist students in acquiring the knowledge and skills necessary to be successful as they continue their education at the postsecondary level and/or enter the workforce)
- **SBOE Rule 160-5-1-.15** (Awarding units of credit for the purpose of substitution of equivalent or higher level requirements which will assist students in acquiring the knowledge and skills necessary to be successful as they continue their education at the postsecondary level and/or enter the workforce)
- **SBOE Rule 160-5-1-.22**

## **Academic Flexibility:**

- **Flexibility with regards to Competencies and Core Curriculum, Online Learning** (O.C.G.A. § 20-2-140.1, O.C.G.A. § 20-2-142)
- **Flexibility with regards to Educational Programs** (O.C.G.A. § 20-2-153, O.C.G.A. § 20-2-154, O.C.G.A. § 20-2-154.1, O.C.G.A. § 20-2-155) – EIP, Remedial Program, Alternative Program  
*An example of how MCSS could use this waiver would involve flexibility in staffing, class size, and program delivery/time requirements and models. The goal s would be to ensure that services are equitably provided, and to allow the system an opportunity to provide support to individual students based on need.*
- **Flexibility with regards Program for Limited English Proficient (LEP) Students** (O.C.G.A. § 20--2-156) *MCSS would like to waive the requirements related to staffing, class size and program delivery/time requirements and models. Currently, the SBOE Rule limits the number of segments students can be served based on grade level. An example of how MCSS could use this waiver would be to serve students based on their language proficiency level. This would enable the system to serve those students with Level 1 or 2 Language Proficiency via additional segments.*
- **Flexibility with regards to Program Enrollment & Appropriation** except to the extent it relates to funding (O.C.G.A. § 20-2-160, 20-2-165, 20-2-168(c)) *MCSS believes that scheduling for instruction should be based on the needs of the students and that students should be able to move on when ready.*
- **Flexibility with regards to Categorical Allotment requirements**, Article 6 of Chapter 2 of Title 20 (O.C.G.A. § 20-2-167, 20-2-183, 20-2-184, 20-20-185, 20-2-186) *MCSS seeks flexibility to develop a system budget based on the system strategic plan and the needs of our students, rather than basing the system budget on current categorical allotments*
- **Flexibility with regards to Promotion and Retention Requirements** (O.C.G.A. § 20-2-184.1, O.C.G.A. § 20-2-283) *An example of how MCSS could use this waiver would be immediate development of instructional plans for students who did not meet standards in grades 3, 5, and 8 as soon as the initial assessment results are received, rather than waiting until the end of the summer following a retest.*
- **Flexibility with regards to Organization of Schools; Middle School Programs; Schedule** (O.C.G.A. § 20-2-290) *MCSS would like the freedom from the requirement of five hours of instructional time. An example of how MCSS could use this waiver would be to allow Middle Schools to offer a focused advisement time for all students grades 6-8 during the day based on best practice and the Middle School Improvement Committee Recommendation. Currently, that would place middle schools out of compliance under the current Middle School Program Criteria.*

- **Flexibility with regards to Graduation Requirements** for the purpose of substitution of equivalent or higher level requirements which will assist students in acquiring the knowledge and skills necessary to be successful as they continue their education at the postsecondary level and/or enter the workforce (SBOE Rule 160-4-2-.48)
- **Flexibility with regards to School Attendance, Compulsory Attendance as it relates to the Attendance protocol** (O.C.G.A. § 20-2-690.2) *MCSS seeks flexibility from requirements for making charges against students who miss more than 10 days of school annually. An example of how Miller County could use this waiver would be to take individual student needs and cases into account.*
- **Flexibility with regards to Comprehensive HPE Program except as prohibited by O.C.G.A. § 20-2-82(e)** (SBOE Rule 160-4-2-.12) *An example of how Miller County could use this waiver would be to provide flexible pathways for students to meet standards for the courses.*
- **Flexibility with regards to Education Program for Gifted Students** (SBOE Rule 160-4-2-.38) *An example of how MCSS could use the waiver would include flexibility in the requirements related to staffing, class size and program delivery/time requirements and models to offer a variety of delivery models including advanced content at the elementary level.*
- **Flexibility with regards to School Day and School Year for Students and Employees** (O.C.G.A. § 20-2-151, 20-2-160(a), 20-2-168(c)) *MCSS would like to waive the allotted requirements of instruction time at each level to allow schools to focus time on areas that are a priority for improving student achievement.*
- **Flexibility with regards to School Year** (O.C.G.A. § 20-2-168(c)) *MCSS would like flexibility in the structure of providing 180 days for student. An example of how MCSS could use this waiver would be to offer different schedules for specific educational programs.*
- **Flexibility with regards to Class Size/Staffing** (O.C.G.A § 20-2-182) *MCSS would like to waive the requirements related to class size, staffing allotments, caseload, and utilization to increase learning opportunities for all students.*

**Financial Flexibility:**

- **Flexibility with regard to QBE Financing except to the extent it relates to funding** (O.C.G.A. § 20-2-161) *MCSS would like to maintain the system's earnings while providing flexibility in its application for services as provided through Strategic Waiver School System*
- **Flexibility with regards to Direct Classroom Expenditure Controls** (O.C.G.A. § 20-2-171) *MCSS meets the Expenditure Control Test each year, however MCSS would like flexibility to spend those dollars where it supports the system strategic plan rather than in required categories.*

**HR Flexibility:**

- **Flexibility with regards to Certification requirements** (O.C.G.A. § 20-2-108, O.C.G.A. § 20-2-200, O.C.G.A. § 20-2-201, O.C.G.A. § 20-2-204) *MCSS seeks flexibility from state certification requirements for certificated staff to allow for the selection of qualified applicants based on content expertise and knowledge.*
- **Flexibility with regards to Salary Schedule requirements** (O.C.G.A. § 20-2-212) *An example of how Miller County School System could use this waiver could be flexibility from the required use of the current state salary schedule to provide for flexible compensation based on teacher skills and system needs.*
- **Flexibility with regards to Personnel Required** (SBOE Rule 160-5-1-.22)