

## Exhibit B – Flexibility Component For the Emanuel County School District

Under O.C.G.A. § 20-2-80 and SBOE Rule 160-5-1-.33, The Emanuel 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 Emanuel 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).

- Class-size and Reporting requirements (O.C.G.A. §§ 20-2-182, 20-2-167, 20-2-187(b))

*The Emanuel County School District requests flexibility with regards to class size, staffing allotments, caseload, and utilization to expand learning opportunities in support of expanded learning opportunities. Increasing the class size could allow more advanced students to access courses typically associated with gifted learners. Currently, when one new student enrolls in a grade level that is served at class size capacity, the district must hire a new teacher and re-distribute students within the grade. This minimizes the relationship between the student and teacher and inhibits the progress a learner may have made. We also ask that the instruction in social graces and etiquette be waived. Finally, this waiver would allow the district align all expenditures with the district's Strategic Plan.*

- Direct Classroom Expenditures and Expenditure Controls (O.C.G.A. §§ 20-2-171, 20-2-167)

*The Emanuel County School District requests flexibility to expend earnings in support of the district's Strategic Plan and student needs.*

- Scheduling for Instruction/Program Enrollment and Appropriation except to the extent it relates to funding (O.C.G.A. §§ 20-2-160, 20-2-165, 20-2-168(c))

*The Emanuel County School District requests flexibility to schedule based upon individual student needs, without programmatic restrictions tied to state funding. The district could use this flexibility to offer summer courses for initial credit.*

- Flexibility with regards to Common Minimum Facility Requirements (O.C.G.A. § 20-2-260)

*The Emanuel County School District requests to the extent that square footage requirements are not waived in situations where the health and safety of students is jeopardized and only after consultation with Georgia*

*Department of Education Director of Facilities Services, and to the extent that the waiver does not affect state capital outlay funding determinations. An example of this waiver would be not having to add-on to a currently facility to areas such as the media center, lunchroom, etc. when we add classrooms to a current facility.*

- QBE Financing except to the extent it relates to funding (O.C.G.A. § 20-2-161)  
*The Emanuel County School District requests flexibility to maintain the district's earnings while providing flexibility in its application for services as provided through SWSS/IE2.*
- Personnel Required (SBOE Rule 160-5-1-.22)  
*The Emanuel County School District requests flexibility to utilize personnel based upon students' current educational needs and the District Strategic Plan.*
- Educational Programs (O.C.G.A. §§ 20-2-151, 20-2-151.2, 20-2-153, 20-2-154, 20-2-154.1, 20-2-155, 20-2-156)  
*The Emanuel County School District requests flexibility in staffing, class size, and program delivery/time requirements and models in order to ensure that services are provided to students based upon their individual needs. This will allow the district to expand its advanced content model to gifted elementary pupils, to serve additional pupils in the Early Intervention and Remedial Education programs, and to receive credit for six segments for each middle and high school alternative program student. Additionally, this waiver could allow the district to create alternate routes to graduation through creative scheduling options such as a compacted 4 x 4 schedule, a hybrid schedule, and dual enrollment with local technical colleges/post-secondary institutions.*
- Organization of Schools; Middle School Programs; Schedule (O.C.G.A. § 20-2-290)  
*To meet the needs of individual students, the Emanuel County School District requests flexibility with regard to required instructional time in core content area subjects and in structured collaborative planning time. This waiver may be used to create a focused advisement time during the instructional day.*

- Competencies and Core Curriculum, Online Learning (O.C.G.A. §§ 20-2-140.1, 20-2-142)  
*The district may use this waiver to provide support to individual students based on needs. Flexibility will allow the district and schools to revise courses of study and sequencing of curriculum around locally developed competencies, while exempting students from the requirement that a certain percentage of graduates must complete at least one online course.*
- Promotion and Retention (O.C.G.A. §§ 20-2-283, 20-2-284) *The Emanuel County School District requests flexibility to align the promotion and retention procedure to the Response to Intervention team process. For grades 3, 5, and 8, promotion would be based upon local requirements, which include a totality of evidence rather than a single standardized test score. Moreover, schools could develop instructional placement meetings based on initial standardized test scores rather than waiting for the summer re-test results.*
- 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 Rules 160-4-2-.48, 160-4-2-.47)  
*The Emanuel County School District requests flexibility to develop alternate graduation requirements that are equivalent to or higher than the current state requirements for the purpose of preparing students for post-secondary education and workforce entry. Furthermore, the district would like to award credit based on the mastery of standards, regardless of seat time, allowing students to move on when ready.*
- School Day and Year for Students and Employees (O.C.G.A. § 20-2-151, O.C.G.A. § 20-2-160(a), O.C.G.A. § 20-2-168(c))  
*The Emanuel County School District requests flexibility to waive the allotted requirements of instructional time at each grade span to allow schools to focus time on areas that are a priority for improving student achievement. The district would like to base instruction upon students' needs, enabling them to move on when ready without penalty. Moreover, the allotted number of hours required of each grade level could be*

*modified for students who demonstrate mastery of content. The district also requests flexibility from the required 180 day school calendar.*

- Comprehensive Health and Physical Education Program except as prohibited by O.C.G.A. § 20-2-82(e) (SBOE Rule 160-4-2-.12)  
*The Emanuel County School District requests flexibility to create additional alternatives for students to meet the required HPE program requirements. Physical activities would be incorporated into other electives and extracurricular activities and count toward the HPE requirement.*
- Salary Schedule requirements (O.C.G.A. §§ 20-2-212, 20-2-212.1, 20-2-212.2) *In order to recruit and retain highly qualified applicants, the Emanuel County School District requests flexibility to provide for flexible compensation based on teacher skills and District needs.*
- Certification requirements (O.C.G.A. §§ 20-2-108, 20-2-200, 20-2-201, 20-2-204)  
*The Emanuel County School District requests flexibility from state certification requirements to allow for the selection of qualified applicants based on content knowledge and expertise. This waiver could be used for CTAE and difficult-to-fill positions.*
- Categorical Allotment requirements except to the extent that it relates to funding, Article 6 of Chapter 2 of Title 20 (O.C.G.A. §§ 20-2-167, 20-2-182(h), 20-2-183 to 20-2-186)  
*The Emanuel County School District requests flexibility to develop a District budget based on the needs of students, rather than current categorical allotments.*
- Employment Conditions of Employment as it relates to Duty Free Lunch (O.C.G.A. § 20-2-218)  
*The Emanuel County School District requests flexibility from duty-free lunch periods in exchange for a lunch period for compensation or another benefit.*
- School Attendance, Compulsory Attendance as it relates to the attendance protocol (O.C.G.A. § 20-2-690.2)  
*The Emanuel County School District requests flexibility to waive the requirement that the chief judge of the superior court of each county shall*

*ensure that the committee meets twice annually to evaluate compliance with the protocol, effectiveness of the protocol, and appropriate modifications. This waiver will allow the district to devise protocols for managing student attendance. Additionally, the district could allow students who complete work or participate in class online during the school day to be counted as physically present at school.*

- Public School Choice (O.C.G.A. § 20-2-2131)  
*The Emanuel County School District requests flexibility, without violating federal law, to exempt all or some of the school choice requirements outlined by HB 251, including but not limited to: providing parents the option of intra-district transfers, defining available classroom space, or apportioning a limited number of seats by means other than a random lottery.*
- School Councils ((O.C.G.A. §§ 20-2-85, 20-2-86)
- Statewide Passing Score (SBOE Rule 160-4-2-.13(2)(a) and (2)(c))  
*The Emanuel County School District is requesting flexibility will allow the district to establish criteria for minimum passing scores for all courses, and to determine how a student’s performance on Georgia Milestones End-of-Course Tests may affect their final grade for the course.*
- Gifted Programs (SBOE Rule 160-4-2-.38)  
*The Emanuel County School District is requesting flexibility to expand the advanced content models in elementary grades and to develop innovative models for service for students in grades 6-12.*
- Instructional Extension (O.C.G.A. § 20-2-184.1)  
*The Emanuel County School District is requesting flexibility to expend instructional extension funds (“20 extra days”) for additional instruction during intersessions and for transportation. The district would use this waiver to decrease class size during the school day in order to provide extended learning opportunities to additional students in a more cost-effective manner.*

- Awarding 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 a postsecondary level and/or enter the workforce (SBOE Rule 160-5-1-.15)  
*The Emanuel County School District requests flexibility to award credit based on course competency using locally developed assessments, those listed in the SBOE Rule guidance document, and state-mandated assessments.*
- Program Enrollment and Appropriation except to the extent it relates to funding (O.C.G.A. § 20-2-160)  
*The Emanuel County School District requests flexibility which will allow schools to schedule for instruction based on student needs, without programmatic restrictions tied to state funding.*
- Use of School Counselors (SBOE Rule 160-4-8.-05)  
*The Emanuel County School District requests flexibility with regard to the requirement that school counselors must have 90% direct/indirect contact with students by providing academic, personal/social, and post-secondary guidance to aid students in becoming responsible and globally competitive citizens. A waiver would allow schools to use counselors to provide additional student support not currently identified as “counseling.”*
- Media Programs (SBOE Rule 160-4-4.-01)

Revised 3/21/2016