

Exhibit B – Flexibility Component of Contract

For the Harris County School District

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

Academic Flexibility

- **Class Size/Staffing** (O.C.G.A. § 20-2-182)
e.g. HCSD would like to waive the requirements related to class size, staffing allotments, caseload and utilization to increase learning opportunities for all students.

- **Educational Programs** (O.C.G.A. § 20-2-151, O.C.G.A. § 20-2-151.2, 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)
e.g. HCSD could use the flexibility to allow schools to use different structures (class size, staffing, program delivery/time requirements and models) for these programs that would better fit individual student needs. For example, the Early Intervention Program (EIP) Rule currently requires services be offered to the lowest performing 3% of students in each school. HCSD could serve the students in different models and/or consider how to best serve the lowest performing 3% across the system making services more equitable.

- **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-.47 and 160-4-2-.48)
e.g. Currently, students must have 150 seat hours to earn a Carnegie Unit credit. HCSD could waive that requirement enabling the district to award credit once standards have been mastered at any time during the semester/year.

- **Competencies and Core Curriculum, Online Learning** (O.C.G.A. § 20-2-140.1, O.C.G.A. § 20-2-142) *e.g. HCSD could exempt the new requirement that prescribes a certain % of students graduating must do so with at least one online learning class.*

- **Categorical Allotment requirements, Article 6 of Chapter 2 of Title 20** (O.C.G.A. § 20-2-167, O.C.G.A. § 20-2-183 to 20-2-186) *e.g. HCSD 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.*

- **Education Program for Gifted Students** (SBOE Rule 160-4-2-.38) related to staffing, class size, and program delivery/time/requirements/models. *e.g. HCSD could offer a larger variety of delivery models for gifted students with this flexibility.*
- **Program for Limited English Proficient (LEP) Students** (O.C.G.A. § 20-2-156) related to staffing, class size and program delivery/time requirements/models. *e.g. Currently, the SBOE Rule limits the number of segments students can be served based on their grade level. HCSD would also like to serve students based on their language proficiency level. This could allow the district to serve those students with Level 1 and 2 Language Proficiency additional segments.*
- **Organization of Schools; Middle School Programs; Schedule** (O.G.G.A. § 20-2-290) related to time requirements and delivery models. *e.g. HCSD Middle Schools could use freedom from the requirement of five hours of middle school instructional time to try different scheduling models. Middle Schools could offer other items such as focused advisement time for all students or increase time for academic intervention periods.*
- **Program Enrollment & Appropriation** except to the extent it relates to funding (O.C.G.A. § 20-2-160, O.C.G.A. § 20-2-165, O.C.G.A. § 20-2-168(c)) *e.g. HCSD 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.*
- **Promotion and Retention Requirements** (O.C.G.A. § 20-2-283) *e.g. HCSD could use this flexibility for students who did not meet standard in grades 3, 5, and 8 to hold meetings to design a student's instructional plan as soon as the initial assessment results are received rather than waiting until the end of the summer following a retest.*
- **Comprehensive Health and Physical Education Program** except as prohibited by O.C.G.A. § 20-2-82(e) (SBOE Rule 160-4-2.12) *e.g. HCSD could use this waiver to provide more flexible pathways for students to meet course standards.*
- **Guidance Counselor** (SBOE Rule 160-4-8-.05) *e.g. HCSD seeks flexibility in the use of Guidance Counselors to provide additional student support not currently identified as "counseling."*
- **School Day and School 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)) related to 180 days for students and 190 days for teachers. *e.g. HCSD would like to explore flexibility in how the 180 days for students is scheduled to meet the individual needs of students. The flexibility to offer a different schedule for specific educational programs would be of great benefit to students. HCSD 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.*

- **School Attendance, Compulsory Attendance as it relates to the attendance protocol** (O.C.G.A. § 20-2-690.2) *e.g. HCSD seeks flexibility from requirements for making charges against students who are deemed truant annually. An example of how Harris County could utilize this waiver would be to take individual student needs and cases into account.*

Financial Flexibility

- **Direct Classroom Expenditures and Expenditure Controls** (O.C.G.A. § 20-2-171) *e.g. HCSD would like flexibility to spend dollars where it supports the system's strategic plan rather than in required categories.*
- **QBE Financing** except to the extent it relates to funding (O.C.G.A. § 20-2-161, O.C.G.A. § 20-2-160) related to system earnings through FTE.

HR Flexibility

- **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) *e.g. HCSD seeks flexibility from state certification requirements for certificated staff to allow for the selection of qualified applicants based on content expertise and knowledge.*
- **Personnel Required** (SBOE Rule 160-5-1-.22)
- **Salary Schedule requirements** (O.C.G.A. § 20-2-212) *e.g. An example of how HCSD could utilize this flexibility from the required use of the current state salary schedule to provide for flexible compensation base on teacher skills and system needs*