

# CARBON CAREER & TECHNICAL INSTITUTE

SECTION: OPERATIONS

TITLE: STATE MANDATE WAIVERS

ADOPTED: November 18, 2004

REVISED: October 19, 2006

825. STATE MANDATE WAIVERS	
1. Purpose	<p>This policy establishes guidelines for developing, applying for and implementing waivers of state-imposed mandates and other provisions of state law, pursuant to the Education Empowerment Act. Joint Operating Committee procedures will supplement those set forth in law or State Board regulations. Waiver applications submitted by the school shall be processed and implemented in accordance with this policy.</p>
2. Authority SC 1714-B	<p>The Joint Operating Committee shall approve at a regular Joint Operating Committee meeting the submission of an application for state mandate waivers that will enable the school to improve its instructional program or to operate in a more effective, efficient or economical manner. Approval by the Department of Education shall be required prior to implementation by the school.</p> <p>No waiver shall be in effect until after approval has been received from the Secretary of Education, and the Joint Operating Committee has taken formal action acknowledging the approval and specifying the effective date of the waiver.</p> <p>The Joint Operating Committee reserves the right to decline to implement any waiver that has been approved, and to rescind any waiver in effect in the school.</p>
3. Delegation of Responsibility	<p>The Administrative Director shall advise the Joint Operating Committee of waiver requests being evaluated and developed beyond the preliminary stage.</p> <p>The administration shall promptly notify the Joint Operating Committee when a waiver application is approved or denied. When denied, the administration may prepare a recommendation concerning revisions and re-submittal.</p> <p>The administration shall be responsible to implement required measurement methods and prepare appropriate documentation for submission prior to the expiration of the three-year trial period.</p>
4. Guidelines	<p>Applications and supporting documentation for waivers applied for and those currently in force, as well as approval notices from the PA Department of Education, shall be public records maintained permanently by the Joint Operating Committee</p>

<p>School Code 1714-B</p> <p>Joint Operating Committee Policy801</p>	<p>Secretary and shall be made available for public inspection and copying, in accordance with Joint Operating Committee policy.</p> <p>When amendments to adopted Joint Operating Committee policy or existing administrative procedures are necessary or appropriate in order to effectively implement the waiver, the final recommended application presented to the Joint Operating Committee and final solicitor's review shall be accompanied by specific language for proposed policy revisions and information about associated changes in administrative procedures.</p> <p>Except where clearly not pertinent nor appropriate, all bid specifications; requests for proposals and quotations; and similar documents shall contain language advising that:</p> <ol style="list-style-type: none"><li>1. The effect of laws, regulations or standards otherwise applicable to the school may have been altered by virtue of a waiver under Act 16.</li><li>2. It is the responsibility of persons contemplating doing business with the school to be familiar with waivers in force or applied for as listed in school records.</li></ol> <p>This school shall maintain a current listing of all waivers in effect in the school, which shall be updated by the administration as each new waiver is placed into effect. For each waiver listed, the following information shall be specified:</p> <ol style="list-style-type: none"><li>1. Cite to the provisions of law waived.</li><li>2. Effect of the waiver.</li><li>3. Original effective date and renewal date of permanently renewed waivers.</li><li>4. Cross-reference to Joint Operating Committee policies or administrative procedures reflecting implementation of the waiver.</li></ol> <p>Suggestions for waiver applications may be submitted by any Joint Operating Committee member, staff member, student, resident or taxpayer of a participating school district. All suggestions must be in writing and submitted to the Administrative Director, except that staff proposals shall be routed through the chain of command, with comments or recommendations from supervisors and administrators.</p>
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