Ohio School/District Operational Waivers

- This type of waiver is to be approved by the State Superintendent per administrative rules adopted by the State Board.
- These waivers can be implemented to provide district-wide or building initiatives for improvement purposes that are aligned with the overall improvement strategies identified by the district's CCIP.
- Waivers may be for a period of up to five years except for minimum school year waivers which are issued for one year at a time.
- The district must provide a letter of justification identifying the improvement need, strategies, work plan, and timeline as appropriate.
- A district/ school may request a waiver of the minimum school year requirements for the purposes of implementing a professional development program for up to four days or 24 total hours, which may be implemented as partial hours to afford flexibility.
- Requests to waive minimum days/hours during Count Week or designated state assessment dates will not be considered.
- Waiver applications are available on ODE's website.
- The application must include a letter of support from the board, the superintendent, and the teacher's union.
- Applications must be received by ODE at least 45 days prior to initial use and not later than December 31 of the implementation year.
- Districts with approved waivers are required to submit the annual evaluation report to ODE by June 30 of each year.
- ODE received 336 requests for the 2010-2011 school year.

Innovation School/Zone Waivers

- This type of waiver is new per HB 153 and is first initiated at the school building level.
- A local school building (or group of buildings) must apply to the local board of education. A majority of the administrators and teaches assigned to the school must consent to seeking the innovation designation.
- When a school applies to its local board to be designated as an innovation school, the application must include a description of any education laws or rules that would need to be waived to implement the innovations.
- Once the local board approves an innovation plan the district board must then apply to the State Board for designation as a school district of innovation.
- The State Board must make the designation unless the plan is not financially feasible or will likely result in decreased academic achievement.
- House Bill 153 requires the State Board of Education to waive education laws or administrative rules necessary to implement an innovation plan (if any are included and if not exempt from being waived).
- The State Board of Education is prohibited from waiving any law or rule regarding
 - 1. School district funding;
 - 2. Provision of services to students with disabilities and gifted students;
 - Requirements related to career-technical education that are necessary to comply with federal law;
 - Administration of the state achievement assessments and diagnostic assessments (and end-of-course exams and a nationally standardized test required as part of the new high school assessment system);
 - 5. Issuance of the annual school district and building report cards;
 - 6. Implementation of ODE's Model of Differentiated Accountability, which specifies sanctions for underperforming schools as required by NCLB;
 - 7. Reporting of education data to ODE;
 - 8. Criminal records checks of school employees; and
 - 9. State retirement systems for teachers and other school employees.