Date: ________________

PUBLIC CHARTER SCHOOL WAIVER APPLICATION

A. Applicant: ________________________________________________________________

B. Request Waiver for:
   - Maryland State Board of Education Bylaw: __________________________________
   - Baltimore County Board Policy: ___________________________________________
   - BCPS Regulations/Procedures: ____________________________________________

C. Time period for which waiver is requested: _________________________________

D. Proposed change:
   ________________________________________________________________
   ________________________________________________________________
   ________________________________________________________________

E. Information/data that supports the need for this proposal:
   ________________________________________________________________
   ________________________________________________________________
   ________________________________________________________________

F. Describe the desired outcome and how the requested waiver will facilitate its attainment:
   ________________________________________________________________
   ________________________________________________________________
   ________________________________________________________________

G. Determine stakeholders who will be affected by this proposal and the impact (both pro and con) for each of these stakeholders.
   ________________________________________________________________
   ________________________________________________________________
   ________________________________________________________________
H. Describe how the above stakeholders will be involved in the decision making process.

_________________________________________________________________________________

_________________________________________________________________________________

CODE OF MARYLAND REGULATIONS, TITLE 13A

13A.01.01.02-1

.02-1 Waivers from Regulations.

A. Authority. Upon a demonstration of good cause, substantial compliance, or comparable effort by an educational institution or program seeking a waiver, the State Board of Education may grant waivers from its regulations.

B. Term.

(1) The term of a waiver may not exceed 3 years.

(2) Requests to renew waivers for additional 3-year terms may be filed with the State Superintendent of Schools.

C. Procedure.

(1) The head of an educational institution or program, including an institution of higher education, or the local superintendent of schools on behalf of a school or school system, shall file a waiver request with the State Superintendent of Schools. The request shall include a description of the desired outcome and an explanation of why the waiver is necessary and justifiable under the circumstances.

(2) The State Superintendent of Schools shall submit to the State Board of Education each waiver request within 45 calendar days of its receipt with a recommendation for either granting or denying the waiver, specifying its term, and providing written justification for any recommended denial.

(3) The State Board of Education shall render a decision at its next regularly scheduled meeting. The decision of the State Board of Education on a waiver request is final.

13A.08.02.12

.12 Waivers.

A. Subject to the limitations in this regulation, a parent or guardian of a student or an eligible student may waive any of his or her rights under §438 of the Act or this chapter. A waiver may not be valid unless in writing and signed by the parent, guardian, or eligible student, as appropriate.
B. A local school system or educational institution may not require that a parent or guardian of a student, or an eligible student, waive his or her rights under this regulation. This section does not preclude a local school system or educational institution from requesting a waiver.

C. An individual who is an applicant for admission to an institution of postsecondary education or employment may waive the individual's right to inspect and review confidential letters and confidential statements of recommendation respecting admission to an educational institution, application for employment, or the receipt of an honorary recognition.

D. A waiver under §C of this regulation may apply to confidential letters and statements only if:

(1) The applicant is, upon request, notified of the names of all individuals providing the letters or statements;

(2) The letters or statements are used only for the purpose for which they were originally intended; and

(3) This waiver is not required by the local school system or educational institution as a condition of admission, employment, or granting of an honor or receipt of any other service or benefit from the local school system or educational institution.

E. A waiver under §C of this regulation shall be executed by the individual, regardless of age, rather than by the parent or guardian of the individual.

F. A waiver under this regulation may be made with respect to specified classes of student records, and persons or institutions.

G. Revocation of Waiver.

(1) A waiver under this regulation may be revoked with respect to any actions occurring after the revocation.

(2) A revocation under this regulation shall be in writing.

(3) If a parent or guardian of a student executes a waiver under this regulation, that waiver may be revoked by the student at any time after the student becomes an eligible student.
.14 Waivers and Special Certification Provisions.

A. Waiver of Certification Requirements. Except for teacher certification tests, the State Superintendent of Schools has the authority to waive the specific requirements for a certificate in an individual case if the State Superintendent of Schools determines, after thorough investigation, that the applicant's preparation or experience, or both, are adequate to justify a waiver.

B. Special Allowances. Renewal requirements for any professionally certificated employee may be waived without regard to Regulation .11 of this chapter if the:

(1) Renewal is recommended by the local superintendent of schools; and

(2) Professionally certificated employee is:

(a) 55 years old or older; or

(b) Employed for at least 25 years in public school service or approved nonpublic school service.