

**KIPP ANTIOCH COLLEGE PREP ELEMENTARY SCHOOL (KACPE) - Approved Waivers**

Revised 5/22/2020

State Statute/Rule/ Policy	Description of Statute/Rule/Policy	Replacement Policy/Practice	How will waiver of this statute/rule/policy help student achievement?	Date of Approval	Length of approved waiver	Conditions on Waiver
T.C.A. § 49-3- 306(a) SBE Rule 0520-1-2-.02	Licensed Personnel Salaries	KIPP Nashville Board approves salaries during annual budgeting process	While we ensure that public monies will be used properly and that all personnel will be paid adequately and timely, it is critical to our program that the KNCPE payroll system reflects the school's purpose and philosophy.	4/15/2016	Approved for entire charter term	
T.C.A. § 8-23-206(a)	Longevity Pay	KIPP Nashville Board approves salaries during annual budgeting process	Public monies will be used properly to ensure personnel will be paid adequately, however it is critical to the KNMS program that the payroll system reflects the individual school's purpose and philosophy. Teachers may be given incentive pay that will compensate them for years of consistent student performance, not just years of service.	4/15/2016	Approved for entire charter term	
T.C.A. § 49-5-401	Teacher Assignment	KIPP Nashville SST approves annual calendar and school schedules	KNCPE will utilize an extended schedule, including increased instructional, as well as professional development hours. Teachers will receive compensation commensurate with the increased work hours.	4/15/2016	Approved for entire charter term	
T.C.A. § 49-6-304A (2)-D SBE Rule 0520-1-3-.03(4)	School Term Vacations & Other Non-Instructional Days	KIPP Nashville SST approves annual calendar and school schedules	KNCPE operates with an extended school year including additional school days in summer and/or on Saturdays along with an extended school day from 7:30 a.m. - 4:00 p.m.	4/15/2016	Approved for entire charter term	
T.C.A. §§ 49-5-5002-5010, 49-5-5206-5209, 49-5-5301, 49-5-5304-5306, 49-5-5401, 49-5-5405-5406, 49-5-5501, 49-5-5504-5506 SBE Rule 0520-2-2	Career Ladder	KIPP Nashville Board approves salaries during annual budgeting process	No need or funding is currently available for career ladder initiatives.	4/15/2016	Approved for entire charter term	
T.C.A. § 49-5-5205 SBE Rule 0520-1-1-.01	General Requirements for Evaluation	KIPP Nashville Board approves salaries and compensation plans during annual budgeting process	A key to KNCPE's success is being able to attract and retain a staff that is committed to the KNCPE mission and to provide them with the motivation necessary to get the job done. Accordingly, it is essential that KNCPE be able to design hiring, pay, benefits, promotion and evaluation systems that are aligned with the school's mission and goals. The guidelines and performance expectations are outlined specifically in the annual performance goals as part of the KNCPE performance management system.	4/15/2016	Approved for entire charter term	

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T.C.A. § 49-5-5205 SBE Rule 0520-2-1-.03	Evaluation of Third-Year Apprentice Educators	KIPP Nashville SST oversees performance evaluations through KIPP Nashville PM and leadership summit processes	A key to KNCPE's success is being able to attract and retain a staff that is committed to our mission and to provide them with the motivation necessary to get the job done. It is essential that KNCPE be able to design hiring, pay, benefits, promotion and evaluation systems that are aligned with our mission and goals. The guidelines and performance expectations are outlined specifically in the annual performance goals as part of the KNCPE performance management system.	4/15/2016	Approved for entire charter term	
T.C.A. §§ 49-5-5302, 49-5-5402, 49-5-5408, 49-5-5502 SBE Rule 0520-2-2-(2)	Evaluation of School leaders, Assistant Principals, and Supervisors	KIPP Nashville SST oversees performance evaluations through KIPP Nashville PM and leadership summit processes	A key to KNCPE's success is being able to attract and retain staff that is committed to our mission and to provide them with the motivation necessary to get the job done. It is essential that KNCPE be able to design hiring, pay, benefits, promotion, and evaluation systems that are aligned with our mission and goals. The guidelines and performance expectations are outlined specifically in the annual performance goals as part of the KNCPE performance management system.	4/15/2016	Approved for entire charter term	
T.C.A. §§ 49-5-408-409 SBE Rule 0520-2-2-(2)	Evaluation Contracts and Termination of Contracts	KIPP Nashville SST oversees performance evaluations through KIPP Nashville PM and leadership summit processes	A key to KNCPE's success is being able to attract and retain a staff that is committed to our mission and to provide them with the motivation necessary to get the job done. It is essential that KNCPE be able to design hiring, pay, benefits, promotion, and evaluation systems that are aligned with our mission and goals. Every teacher will be assessed based on their performance. Teachers, who attain the required levels of performance, as outlined in their performance management goals, will be offered an opportunity to remain on staff.	4/15/2016	Approved for entire charter term	
T.C.A. §§ 49-5-501-513	Tenure	KIPP Nashville SST oversees performance evaluations through KIPP Nashville PM and leadership summit processes	As a charter school, KNCPE will be results-driven. Therefore, all employees of KNCPE will be "at-will."	4/15/2016	Approved for entire charter term	

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T.C.A. §§ 49-5-101(a) SBE Rule 0520-1-2-.03(6)	Licensed School Leaders	KIPP Nashville school leaders will participate in KIPP Foundation School Leadership Programs for training and skills development	KNCPE will recruit the most qualified school leaders from around the country to fulfill its mission.	4/15/2016	Approved for entire charter term	
SBE Rule 0520-1-3-.07(2)	Library Information Center Personnel	KIPP Nashville schools will provide students with access to classroom libraries	A substantial library will be available to students at the nearest public library. This facility will be augmented by classroom libraries.	4/15/2016	Approved for entire charter term	
T.C.A. § 49-6-3004	School Year Commencement	KIPP Nashville SST approves annual calendar and school schedules	KNCPE will utilize an expanded school year calendar. For this reason, the school will start before Labor Day.	4/15/2016	Approved for entire charter term	
T.C.A. § 49-3-316	Local Fiscal Accounting	KIPP Nashville Board approves budget through annual process	While KNCPE will ensure that public monies will be used properly, that all non-waived regulations will be met and that all operations will stand up to a financial audit, it is critical to the KNCPE program that management systems reflect KNCPE's purpose and philosophy.	4/15/2016	Approved for entire charter term	
T.C.A. § 49-6-4012(b)	Formulation and Administration of Behavior and Discipline Codes	KIPP Nashville SST approves student handbooks and discipline policies	While parents and students will undergo due process, it is important that the discipline practices of KNCPE provide a safe and effective learning environment for all students.	4/15/2016	Approved for entire charter term	
T.C.A. § 49-6-2206	Use of Unapproved Textbooks	KIPP Nashville SST approves use of curricular materials	The KNCPE curriculum and instructional approaches will be linked to the school's mission and goals. KNCPE will use both state-approved textbooks and other unapproved instructional materials.	4/15/2016	Approved for entire charter term	
T.C.A. § 49-3-311	Capital Outlay	KIPP Nashville Board approves all facility contracts and leases	Preparing a charter school facility will pose a great challenge. Because charter schools must finance their own buildings and do not have the power to raise taxes to fund capital outlay, it is critical that KNCPE gain freedom from non-health and safety standards for the school site and have control of the facility vested in the KIPP Nashville board, rather than the city board of education. Having this freedom will allow us to use the school site resources most efficiently and effectively and align building choices with the KNCPE mission and goals.	4/15/2016	Approved for entire charter term	

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SBE Rule 0520-1-3-.05	Health, Physical and Wellness Education Curriculum	KIPP Nashville SST approves annual calendar and school schedules including time for student health and well-being through physical activity	Students will be involved in physical education activities each week. The School Leader will oversee these classes and work to ensure that the PE curriculum meets state content standards, despite the use of non-certified instructional personnel.	4/15/2016	Approved for entire charter term	
SBE Rule 0520-1-3-.05	Fine Arts Curriculum	KIPP Nashville SST approves annual calendar and school schedules including fine arts programming	Students will be involved in fine arts activities incorporated into their general education classes. Fine arts classes may be taught by volunteers. The School Leader will oversee these classes and work to ensure that the fine arts curriculum meets state content standards, despite the use of non-certified instructional personnel.	4/15/2016	Approved for entire charter term	
T.C.A. § 49-6-303 State Board School Counseling Model and Standards Policy 5.103	School Counseling	KACPE will use a social worker in place of a counselor to best serve the student population in the school	T.C.A. 49-5-101 and State Board Policy 5.502 inhibits/hinders KACPE's mission of cultivating in our students the academic and character skills needed for them to succeed in high school, college and life beyond by restricting the amount of counseling work related with home, environmental, societal, and cultural issues our students face at KACPE. KACPE serves a very diverse community with a large immigrant population. Immigrant families can potentially deal with acculturation issues/concerns, poverty, fear of deportation, PTSD from experiences in their home countries, attachment issues if families have been separated from early in a child's life and more. For KACPE to fulfill its mission of helping students building academic and character skills, our MSW will need to engage students and families in more clincial individual, small group, family and crisis counseling to support them through their academic careers. A Professional School Counselor would inhibit us from achieving our mission because of the lack of training successfully work with the intensity of issues that our school population faces, which would lead to factors impeding on the academic skills being taught.	8/6/2018  5/14/2019	Approved for School Year 2018-19  Approved for School Year 2019-20	1) The school social worker cannot be a teacher of record for any class or course; and 2) The school social worker cannot perform any duties of a school counselor unless those duties are specifically aligned to training received as part of his/her educator preparation program.

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			<p>Secondly, T.C.A. 49-5-101 and State Board Policy 5.502 inhibits/hinders KACPE's 'Imperative #2: Our students are staying with us' by not receiving training on extensive referrals and access to resources. Resource linkage for immigrant families, families in poverty, translation services, housing, food supplies, legal services, and more is imperative for our students and families to remain enrolled at KACPE. For example, helping secure stable housing can prevent relocation to another school. Additionally, with the support of community resource linkage the family will then see the school as an extension of their support system, which will deepen their ties with the school community.</p>			
T.C.A. § 49-3-359(a)	Instructional Materials/Supplies	<p>KIPP Nashville standardizes all student and classroom supplies and additionally supplies all classroom materials for students including notebooks, binders, pencils etc. At each of our schools, we have a Director of Operations who oversees and centralizes all school procurement for classroom supplies, furniture and all other needs. The budget is robust and sufficiently meets the needs of our classrooms. Additionally, teachers have the ability to request supplies which again are ordered and managed centrally through the DOO which cuts down on reimbursements and the need for teachers to utilize their own money up front.</p>	<p>KIPP Nashville standardizes all student and classroom supplies and additionally supplies all classroom materials for students including notebooks, binders, pencils etc. At each of our schools, we have a Director of Operations who oversees and centralizes all school procurement for classroom supplies, furniture and all other needs. The budget is robust and sufficiently meets the needs of our classrooms. Additionally, teachers have the ability to request supplies which again are ordered and managed centrally through the DOO which cuts down on reimbursements and the need for teachers to utilize their own money up front.</p>	10/31/2018	Approved for entire charter term	

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State Board Rules Chapter 0520-01-03-.03	Maximum Class Size	KACPE staffs each classroom with 2 teachers and 30 students typically, both teachers are fully certified by TN requirements by the 1st day of school. Occasionally, the 2nd teacher in the class is finishing coursework to complete their licensure through the first semester of the school year. KACPE requests this waiver to accomodate staff members finishing their licensure requirements during the school year. At all times, at least 1 teacher in the classroom will have completed their TN licensure.	KACPE believes in the increased success of students through a stronger student:teacher ratio in each class.	12/10/2019	Approved for entire charter term	1) The maximum class size does not exceed thirty (30) students per licensed instructor; and 2) Pursuant to T.C.A. § 49-13-111, a charter school may not waive teacher licensure requirements.

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<p>T.C.A. § 49-6-303 (a)(1)</p> <p>State Board policy 5.103 – School Counseling Model and Standards</p> <p>State Board rule 0520-01-02-.03(9)</p> <p>State Board policy 5.502 – Educator Licensure, Section (5)(d)</p> <p>State Board rule 0520-02-03-.05(5)</p>	<p>School Counseling</p>	<p>KACPE will have the flexibility to hire a qualified applicant who is a licensed school counselor, licensed school social worker, or a licensed professional counselor with school experience.</p>	<p>KACPE student population requires a counselor with the credentials to support students in need of counseling related with home, environmental, societal, and cultural issues. Current statute, rule and policy limits the school to hiring only a licensed school counselor, which does not allow the counselor sufficient training to successfully support the intensity of issues within their largely immigrant student population.</p>	<p>5/21/2020</p>	<p>Approved for entire charter term</p>	<p>KACPE shall fill the counseling role with any of the following credentialed applicants:</p> <ul style="list-style-type: none"> <li>a.) a licensed school counselor;</li> <li>b.) a licensed school social worker; and/or</li> <li>c.) a licensed professional counselor with demonstrated school experience.</li> </ul>