

LEAD Neely's Bend

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
TN EDUCATION STATUTE: 49-3-306(a) & STATE BOARD RULE: 0520-1-2-.02	Licensed Personnel Salaries	While we ensure that public monies will be used properly and all personnel will be paid adequately and timely, it is critical to our program that the LEAD payroll and compensation system reflects our individual school's purpose and philosophy. At LEAD we believe academic results should be a factor in determining total compensation.	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 LEAD compensation structure allows the school the flexibility to attract and retain the best talent possible.			
TN EDUCATION STATUTE: 8-23-206(a)	Longevity Pay	LEAD Board approves total salaries and wages during annual budgeting process and LEAD's Senior Leadership Team (SLT) may approve incentive, stipend, or other additional compensation structures that compensate staff for years of consistent student performance and professional development growth, not just years of service.	Public monies will be used properly to ensure personnel will be paid adequately, however it is critical to the LEAD program that the compensation 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.			Waiver not necessary
TN EDUCATION STATUTE: 49-5-401	Teacher Assignment	LEAD SLT approves annual calendar and school schedules.	LEAD will utilize an extended schedule, including increased instructional, as well as professional development hours. Teachers receive competitive compensation commensurate with increased work responsibilities.			No waiver needed.
TN EDUCATION STATUTE: 49-6-304A (2)-D & STATE BOARD RULE: 0520-1-3-.03(4); T.C.A. 49-6-3004	School Term Vacations and Other Non-Instructional Days	LEAD SLT approves annual calendar and school schedules.	LEAD operates with an extended school year including additional school days in summer along with an extended school day from 7:30 a.m. – 4:00 p.m. (may vary somewhat due to transportation logistics, staggered start times across schools, etc.).			Yes, waiver not needed. They just need to have a minimum of 180 days and their calendar will be approved by the TDOE
TN EDUCATION STATUTE: 49-5-5002-5010, 49-5-5206-5209, 49-5-5301, 49-5-5304-5306, 49-5-5401, 49-5-5405, 49-5-5406, 49-5-5501, 49-5-5504-5506; STATE BOARD RULE: 0520-2-2	Career Ladder	LEAD Senior Leadership Team (SLT) team approves specific salaries and/or salary structures each year and total salary costs are approved by the board as part of the annual budget approval process.	LEAD develops its own career path structures in order to create the highest quality teaching and leadership force.			Waiver not necessary; career ladder funding is through the state

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TN EDUCATION STATUTE: 49-5-5205; STATE BOARD RULE: 0520-1-1-.01	General Requirements for Evaluation	LEAD Senior Leadership Team (SLT) team approves specific salaries and/or salary structures each year and total salary costs are approved by the board as part of the annual budget approval process.	A key to LEAD's program is the autonomy necessary to attract and retain a staff that is committed to the LEAD mission and to provide them with the training and tools necessary to meet job expectations and pursue our mission. Accordingly, it is essential that LEAD be able to design hiring, pay, benefits, and 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 LEAD performance management system.			Cannot be waived per SBE rule.
TN EDUCATION STATUTE: 49-5-5205; STATE BOARD RULE: 0520-2-1-.03	Evaluation of Third-Year Apprentice Educators	LEAD school leadership evaluates campus level staff based on performance evaluation structures overseen by LEAD SLT.	A key to LEAD's program is the autonomy necessary to attract and retain a staff that is committed to the LEAD mission and to provide them with the training and tools necessary to meet job expectations and pursue our mission. Accordingly, it is essential that LEAD 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 LEAD performance management system.			Cannot be waived per SBE rule.

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TN EDUCATION STATUTE: 49-5-5302, 49-5-5402, 49-5-5408, 49-5-5502	Evaluation of School leaders, Assistant principals and Supervisors	LEAD SLT oversees performance evaluations of all school leaders and assists with evaluations of assistant principals, school directors, deans, and various supervisors as needed	A key to LEAD's program is the autonomy necessary to attract and retain a staff that is committed to the LEAD mission and to provide them with the training and tools necessary to meet job expectations and pursue our mission. Accordingly, it is essential that LEAD 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 LEAD performance management system.			
TN EDUCATION STATUTE: 49-5-408-409; STATE BOARD RULE: 0520-2-2(2)	Evaluation Contracts and Termination of Contracts	LEAD Senior Leadership Team (SLT) team approves specific salaries and/or salary structures each year and total salary costs are approved by the board as part of the annual budget approval process.	A key to LEAD'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 LEAD be able to design hiring, pay, benefits, promotion and evaluation systems that are aligned with our mission and goals.			
TN EDUCATION STATUTE: 49-5-501-513	Tenure	LEAD Senior Leadership Team (SLT) team approves specific salaries and/or salary structures each year and total salary costs are approved by the board as part of the annual budget approval process.	As a charter school, LEAD must be performance driven. Therefore, all employees of LEAD will be "at-will."			
TN EDUCATION STATUTE: 49-5-101(a) & STATE BOARD RULE: 0520-1-2-.03(6)	Licensed School leaders	LEAD provides significant internal and external training resources for all school leaders and also prepares aspiring leaders through its resident school director program	LEAD will recruit the most qualified school leaders from around the country to fulfill its mission.			Okay to waive since it is for school leaders; cannot waive teacher licensure
STATE BOARD RULE: 0520-1-3-.07(2)	Library Information Center Personnel	LEAD schools provide students with access to classroom libraries, and on-site internet access at school.	Library resources are available to students through the public library system, internet resources at school, and via classroom libraries.			

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TN EDUCATION STATUTE: 49-3-316	Local Fiscal Accounting	The LEAD Board approves the budget through an annual process.	While LEAD 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 LEAD program that management systems reflect LEAD's purpose and philosophy.			
TN EDUCATION STATUTE: 49-6-4012(b)	Formulation and Administration of Behavior and Discipline Codes	LEAD SLT approves student handbooks and discipline policies.	While parents and students will undergo due process, it is important that the discipline practices of LEAD provide a safe and effective learning environment for all students.			Statute specifically says charter schools shall - this cannot be waived.
TN EDUCATION STATUTE: 49-6-2206	Use of Unapproved Textbooks	LEAD SLT approves use of curricular materials.	The LEAD curriculum and instructional approaches will be linked to the school's mission and goals. LEAD will use both state-approved textbooks and other unapproved instructional materials.			
TN EDUCATION STATUTE: 49-3-311; STATE BOARD RULE: 0520-2-2(2)	Capital Outlay	LEAD Board approves all facility contracts and leases.	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 LEAD gain freedom from non-health and safety standards for the school site and have control of the facility vested in the LEAD Board, rather than the local 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 LEAD mission and goals.			
STATE BOARD RULE: 0520-1-3-.05; T.C.A. 49-6-1021	Health, Physical and Wellness Education Curriculum	LEAD SLT 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 and may include the use of non-certified instructional personnel.			The State Board Rule reference is outdated. I don't think this waiver is necessary. Any classes taught has to be through licensed, endorsed teachers.

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STATE BOARD RULE: 0520-1-3-.05; T.C.A. 49-6-1025	Fine Arts Curriculum	LEAD SLT 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, and may include the use of non-certified instructional personnel.			The State Board Rule reference is outdated. I don't think this waiver is necessary. Any classes taught has to be through licensed, endorsed teachers.
TN EDUCATION STATUTE: 49-3-359(a)	Instructional Materials/ Supplies	In lieu of distributing funds to teachers to purchase their own instructional materials/supplies, LEAD acquires high-quality instructional materials/supplies for teachers and the school and distributes them prior to the first day of school. Teachers may also request additional materials and supplies unique to their classroom.	Acquiring high-quality instructional materials/supplies for all teachers and distributing them prior to the first day of school, as opposed to distributing funds to teachers for them to buy their own, will ensure that LEAD maintains high-quality instructional materials/supplies used in each classroom aligned to LEAD's academic model and purchases them in the most cost effective manner.			
TN EDUCATION STATUTE: 49-1-302(e)	Duty Free Lunch	We believe that it is important for teachers to have flexibility in how they use lunch time. While all LEAD teachers are encouraged to break for lunch, many choose to spend lunch time developing relationships with students and coworkers.	Allowing teachers flexibility in their day aligns to our goal of professionalizing the teaching profession and yields to better teacher retention and student outcomes.			