



FAQ

WAIVERS: PERMISSION SLIPS TO IGNORE STATE EDUCATION LAWS

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What are school district waivers?

Waivers are given to school systems by the Georgia Board of Education to relieve them of their obligation to comply with state education laws.

Why do we allow school districts to ignore state law?

In Georgia, under former Gov. Sonny Perdue, school districts were granted limited waivers from certain state laws to provide *financial flexibility* during a period of extreme economic downturn. The exemptions were limited and set to expire within two years.

In 2008, the Georgia General Assembly (legislature) passed a new law, signed by Gov. Perdue, to let local school districts decide for themselves which laws governing public education they wished to follow – with approval from the State Board of Education and in exchange for a promise to demonstrate a low level of student academic achievement.

What laws do school districts no longer have to follow?

Thousands of waivers have been granted to school districts in every county in Georgia but one.

Districts with waivers no longer follow state laws and regulations relating to:

- School bus safety and training and bus driver pay;
- Gifted programs,
- Special education students,
- Programs for students for whom English is a second language,
- Physical education requirements,
- State-set minimum teacher salaries,
- Early intervention programs, and hundreds more.

Give me an example of how a waiver works and the negative impact it has on students?

Exemptions from state laws regulating class size are a good example. State law states the maximum number of students per class and teacher. The limits vary by grade and subject matter. For example, a middle school math class may have no more than 28 students per teacher and a kindergarten class no more than 18. A high school band class is limited to 100.

For a district given permission to disregard class size laws there is no cap on the number of students in their class. Sadly, for 99% percent of Georgia schools, there is no maximum number of students that can be packed into a classroom.

Are there any laws that school districts cannot waive?

Only a few. Any education law in Georgia can be waived by a school district, except for federal laws, civil rights laws, insurance regulations, and laws pertaining to the physical safety of students, educators, or visitors.