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MEMORANDUM

TO: Superintendents and School Board Chairs 
FROM: Dr. Rebecca Holcombe, Secretary of Education 
Stephan Morse, Chair, State Board of Education
SUBJECT: Education Quality Standards (EQS), 2127, Variance and Waiver Request Form
DATE: August 18, 2016

The Vermont Education Quality Standards (EQS) cites section 2127, Variance and Waiver, which reads as follows:

Upon written request of a school board, and after opportunity for hearing, the State Board of Education may approve an alternative method for meeting the requirements of these rules when

- a. the alternative method is consistent with the intent of the rule;
- b. the variance permits the school board to carry out locally-established objectives; and
- c. the granting of the variance does not contravene any state or federal law, any federal regulation, or any rule of any state agency other than the State Board of Education, unless such rules themselves permit the granting of a waiver or variance.

Upon request of a school board, the Secretary may waive class and caseload size requirements where

- a. necessary to carry out locally-established objectives;
- b. student learning will not be adversely affected;
- c. classroom control will not be compromised; and
- d. it is otherwise in the best interests of student learning.

If any of these rules are in conflict with a provision in an existing collective bargaining agreement, the local board must provide an explanation to the Secretary to that effect, and if appropriate, a plan to address that conflict.

The procedure for submitting a Waiver Request Form to the Agency of Education and State Board of Education is as follows:

- 1) The superintendent and school board chairperson shall complete and sign the attached Waiver Request Submittal Form to the Vermont Agency of Education and State Board of Education.
- 2) The completed Waiver Request Form and supporting documents shall be sent to the Agency of Education contact referenced at the bottom of the form.

Unless exceptional circumstances are present, the Secretary of Education shall respond to such requests within 10 business days.

Waiver Request Form
Submitted to the Vermont Agency of Education
and the
Vermont State Board of Education

1. Name of Superintendent requesting a waiver:

2. Name of School Board Chairperson requesting a waiver:

3. School District, Supervisory Union/Supervisory District represented:

4. School District, Supervisory Union/Supervisory District Mailing Address:

Street/PO Box	City/Town	State	ZIP
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5. Phone: () _____ 6. Superintendent's E-mail: _____

7. I am requesting a waiver of Education Quality Standards rule # _____

8. Please describe the reason for your request in the space provided below:

9. Please describe the alternative method for meeting the intent of this rule in the space below:

Superintendent (print name)

Date

Signature

School Board Chairperson (print name)

Date

Signature

Please return this form to the Secretary of Education Office contact: Maureen Gaidys, 219 North Main Street, Suite 402, Barre, VT 05641 or via email at maureen.gaidys@vermont.gov - (802) 479-1060