

Agenda Item Details

Meeting	May 13, 2020 - State Board of Education Regular Board Meeting 9:00 a.m.
Category	5. Consent Agenda
Subject	5.01 A statewide emergency waiver request regarding 1 CCR 301-8, Rules for the Administration of the Exceptional Children in Education Act.
Type	Action
Recommended Action	<p>I move to approve statewide waivers for districts for the following state board rules from the time of the suspension of in-person instruction through the remainder of the 2019-20 school year:</p> <p>For the remainder of the 2019-20 school year, waive the timeline requirements associated with the gifted education identification procedures in 1 CCR 301-8 Rules for the Administration of the Exceptional Children's Education Act rule 12.02(2)(c)(iii), which requires a timeline of no more than 30 school days after a referral to determine whether a student will continue with formal identification assessment, or will receive talent pool designation.</p> <p>For the remainder of the 2019-20 school year, waive the gifted education early timeline access requirement in 1 CCR 301-8 Rules for the Administration of the Exceptional Children's Education Act rule 12.08(2)(e)(i)(B), which requires Administrative Units to make a determination within 60 days. These determinations are often based on in-person assessments, which are difficult to administer during the suspension of in-person instruction.</p> <p>For the 2019-20 school year, waive the requirement in 1 CCR 301-8 Rules for the Administration of the Exceptional Children's Education Act rule 12.09(6) that districts expend their universal screening grant funds by the end of the fiscal year (June 30, 2020), and allow districts an additional year (June 30, 2021) to spend these funds.</p>

The Governor's April 14th Executive Order provided for a more streamlined process for the state board to grant waivers of certain requirements in statute and rule during the period of the Covid-19 disaster. The state board is being asked to approve statewide waivers for districts for the following state board rules from the time of the suspension of in-person instruction through the remainder of the 2019-20 school year:

- For the remainder of the 2019-20 school year, waive the timeline requirements associated with the gifted education identification procedures in 1 CCR 301-8 Rules for the Administration of the Exceptional Children's Education Act rule 12.02(2)(c)(iii), which requires a timeline of no more than 30 school days after a referral to determine whether a student will continue with formal identification assessment, or will receive talent pool designation.
- For the remainder of the 2019-20 school year, waive the gifted education early timeline access requirement in 1 CCR 301-8 Rules for the Administration of the Exceptional Children's Education Act rule 12.08(2)(e)(i)(B), which requires Administrative Units to make a determination within 60 days. These determinations are often based on in-person assessments, which are difficult to administer during the suspension of in-person instruction.
- For the 2019-20 school year, waive the requirement in 1 CCR 301-8 Rules for the Administration of the Exceptional Children's Education Act rule 12.09(6) that districts expend their universal screening grant funds by the end of the fiscal year (June 30, 2020), and allow districts an additional year (June 30, 2021) to spend these funds.

[SBE Memo_Waivers Due to Suspension of In-Person Instruction_May2020_FINAL.pdf \(83 KB\)](#)

Motion & Voting

I move to approve statewide waivers for districts for the following state board rules from the time of the suspension of in-person instruction through the remainder of the 2019-20 school year:

For the remainder of the 2019-20 school year, waive the timeline requirements associated with the gifted education identification procedures in 1 CCR 301-8 Rules for the Administration of the Exceptional Children's Education Act rule 12.02(2)(c)(iii), which requires a timeline of no more than 30 school days after a referral to determine whether a student will continue with formal identification assessment, or will receive talent pool designation.

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For the 2019-20 school year, waive the requirement in 1 CCR 301-8 Rules for the Administration of the Exceptional Children's Education Act rule 12.09(6) that districts expend their universal screening grant funds by the end of the fiscal year (June 30, 2020), and allow districts an additional year (June 30, 2021) to spend these funds.

Motion by Steve Durham, second by Joyce Rankin.

Final Resolution: Motion Carries

Yea: Steve Durham, Val Flores, Jane Goff, Rebecca McClellan, Joyce Rankin, Angelika Schroeder

Not Present at Vote: Debora Scheffel