

APPENDIX D

Requested District Policy Waivers

The School has requested and obtained Denver Public Schools Board of Education waivers of the following sections of the Denver Public Schools Policies and Procedures for public schools. Replacement policies are available for review by contacting the School.

Automatic District Policy Waivers:

A Policies: Foundations and Basic Commitments

A	Policy Framework for Accelerating Gains in Academic Achievement for All Students
ACE	Equitable and Inclusive Contracting Policy
AD	Educational Philosophy/School District Mission
ADE	Innovation in Education

B Policies: School Board Governance and Operations

BBA	School Board Powers and Responsibilities
BC	Board Member Conduct
BCB	Board Member Conflict of Interest
BDB	Board Officers
BDF	Advisory Committees/Councils
BDF-R1	Career and Tech Ed Council
BDF-R2	Preschool Program Council
BDF-R3	Drug-Free Schools Advisory Council
BDF A	District Personnel Performance Evaluation Council
BDF A-R	Procedures for District Personnel Performance Evaluation Council
BDF B	Finance and Audit Committee
BDF B-E	Exhibit - Finance and Audit Committee Charter
BDF	District Accountability Committee

Rationale: CHSC is granted the authority under the Charter School Agreement to select its own teachers. No other school or Denver Public Schools should have the authority to transfer its teachers into CHSC or transfer teachers from CHSC to any other schools, except as provided for in the Charter School Agreement.

Replacement Plan: CHSC will hire teachers on a best qualified basis. There is no provision for transfers.

Duration of Waivers: The duration of the contract.

Financial Impact: The school anticipates that the requested waiver will have no financial impact upon Denver Public Schools or the school.

How the Impact of the Waivers Will be Evaluated: The impact of this waiver will be measured by the performance criteria and assessments that apply to the school, as set forth in this Charter School Agreement.

Expected Outcome: The school expects that as a result of this waiver it will be able to manage its own personnel affairs. There is no provision for transfers.

Financial Impact: The school anticipates that the requested waiver will have no financial impact upon Denver Public Schools or the school.
How the Impact of the Waivers Will be Evaluated: The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to the school, as per this Charter School Agreement.
Expected Outcome: As a result of these waivers, the school will be able to employ professional staff possessing unique skills and/or background filling all staff needs.

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan

<ul style="list-style-type: none"> Statutory Citation and Title: 22-63-203, C.R.S. Teacher Employment Act- Requirements for probationary teacher, renewal and non-renewal
Rationale: CHSC should be granted the authority to develop its own employment agreements and terms and conditions of employment. The school will be operating differently from other schools with a unique curriculum for which having the proper teaching staff is essential. Not every teacher who is successful in the regular public school will be successful at CHSC. All employees of the school will be employed on an at-will basis.
Replacement Plan: CHSC has teacher agreement with the terms of non-renewal and renewal of employment agreements, and payment of salaries upon termination of employment of a teacher.
Duration of Waivers: The duration of the contract.
Financial Impact: The school anticipates that the requested waiver will have no financial impact upon Denver Public Schools or the school.
How the Impact of the Waivers Will be Evaluated: The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to the school, as per this Charter School Agreement.
Expected Outcome: As a result of these waivers, the school will be able to employ professional staff possessing unique skills and/or background, filling all staff needs.

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan

<ul style="list-style-type: none"> 22-63-206, C.R.S. Teacher Employment Act – Transfer of teachers

<p>Replacement Plan: CHSC will determine teacher-pupil contact hours in accordance with its final daily schedule and calendar. The total number of teacher-pupil contact hours will meet or exceed the expectations in state statute.</p>
<p>Duration of Waivers: The duration of the contract.</p>
<p>Financial Impact: The school anticipates that the requested waiver will have no financial impact upon Denver Public Schools or the school.</p>
<p>How the Impact of the Waivers Will be Evaluated: The impact of this waiver will be measured by the performance appraisal criteria and assessments that apply to the school, as per this Charter School Agreement.</p>
<p>Expected Outcome: As a result of this waiver, the school will be able to implement the necessary policies to increase student achievement.</p>

<p>Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan</p>
<ul style="list-style-type: none"> • Statutory Citation and Title: 22-63-201, C.R.S. Teacher Employment Act-Compensation & Dismissal Act-Requirements to hold a certificate • Statutory Citation and Title: 22-63-202, C.R.S. Teacher Employment Act-Contracts in writing, damage provision
<p>Rationale: CHSC should be granted the authority to hire teachers and principals that will support the school’s goals and objectives. The school leader will not function as a traditional district school principal, but rather will be responsible for a wider range of tasks and act as the school’s chief executive officer. The school will seek to attract school leaders and teachers from a wide variety of backgrounds, including, but not limited to teachers from out-of-state, teachers with a lapsed Colorado certificate, persons with several years of successful teaching experience in a setting not requiring a license, as well as persons with business or professional experience. All employees of CHSC will be employed on an at-will basis. All employees of CHSC will meet the guidelines set forth in the Colorado state ESSA plan, specifically (1) holding at least a B.A. or higher in the relevant subject area; (2) completing 36 semester credit hours in the subject matter in which s/he teaches; or (3) passing a State Board approved content exam in the relevant subject area.</p>
<p>Replacement Plan: The school will, as appropriate, hire certified teachers and principals. However, in some instances it may be advantageous for the school to be able to hire Highly Qualified teachers and/or administrators without a certificate and who possess unique background and/or skills that fill the need of CHSC.</p>
<p>Duration of Waivers: The duration of the contract.</p>

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan

- **Statutory Citation and Title:** 22-32-109(1)(n)(I), C.R.S. Local board duties concerning school calendar
- **Statutory Citation and Title:** 22-32-109 (1)(n)(II)(B), C.R.S. Adopt district calendar

Rationale: The school year at CHSC will total approximately 172 days per year which exceeds the current requirement in state statute. CHSC will prescribe the actual details of its own school calendar to best meet the needs of its students. The local board will not set these policies and CHSC will have a calendar that differs from the rest of the schools within the district.

Replacement Plan: The final calendar and the school’s daily schedule will be designed by CHSC and will meet or exceed the expectations in state statute.

Duration of Waivers: The duration of the contract.

Financial Impact: The school anticipates that the requested waiver will have no financial impact upon Denver Public Schools or the school.

How the Impact of the Waivers Will be Evaluated: The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to the school, as per this Charter School Agreement.

Expected Outcome: As a result of these waivers, the school will be able to implement the necessary policies to increase student achievement.

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan

- **Statutory Citation and Title:** 22-32-109(1)(n)(II)(A) Determine teacher-pupil contact hours

Rationale: CHSC should have the ability to determine teacher-pupil contact hours, while not reducing the total contact hours to below the minimum (1056) required by state statute. CHSC will determine the actual details of teacher-pupil contact hours to best meet the needs of its students. The local board will not set these policies, and CHSC may specify teacher-pupil contact hours that differ from other schools in the district.

- 22-63-202, C.R.S. Teacher Employment Act-Contracts in writing, damage provision
- 22-63-203, C.R.S. Teacher Employment Act-Requirements for probationary teacher, renewal and non-renewal
- 22-63-206, C.R.S. Teacher Employment Act – Transfer of teachers

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan
<ul style="list-style-type: none"> • Statutory Citation and Title: 22-9-106, C.R.S. Local board duties concerning performance evaluations
<p>Statutory Citation and Title: 22-2-112 (1)(q)(1) Commissioner Duties</p>
<p>Rationale: The school leader of CHSC must have the ability to perform the evaluation of all personnel. Should any other designated administrator not have a Type D certificate, this should not preclude him or her from administering the evaluations under the direction of the head of school. The BOD must also have the ability to perform the evaluation for the school leader. Additionally, CHSC should not be required to report their teacher evaluation ratings as a part of the commissioner’s report as required by C.R.S. 22-2-112(1)(q)(I)</p>
<p>Replacement Plan: CHSC uses its own evaluation system as agreed to in the Charter School Agreement with Denver Public Schools and therefore should not be required to report their teacher evaluation data. CHSC’s evaluation system will continue to meet the intent of the law as outlined in statute. The methods used for CHSC’s evaluation system includes quality standards that are clear and relevant to the administrators’ and teachers’ roles and responsibilities, and have the goal of improving student academic growth, and meet the intent of the quality standards established in SB 10-191. All evaluators will receive training in their school’s evaluation system. In addition, the evaluation data is used to inform professional development decisions for each teacher.</p>
<p>Duration of Waivers: The duration of the contract.</p>
<p>Financial Impact: The school anticipates that the requested waiver will have no financial impact upon Denver Public Schools or the school.</p>
<p>How the Impact of the Waivers Will be Evaluated: Since teacher performance has a critical impact on the performance of the entire school, the impact of this waiver will be measured by the same performance criteria and assessments that apply to the school, as set forth in this Charter School Agreement.</p>
<p>Expected Outcome: With this waiver, the school will be able to implement its program and evaluate its teachers in accordance with its Performance Appraisal System, which is designed to produce greater accountability and be consistent with the school’s goals and objectives. This will benefit staff members as well as students and the community.</p>