

State Law Waiver Requests

Automatic Waivers

22-63-402	Teacher Employment Act-Certificate required to pay teachers
22-33-104(4)	Compulsory School Attendance – Attendance policies and excused absences
22-63-401	Teacher Employment Act-Teachers subject to adopted salary schedule
22-63-302	Teacher Employment Act-Procedures for dismissal of teachers
22-63-403	Teacher Employment Act-Describes payment of salaries
22-1-112	School Year - National Holidays
22-32-110(1)(h)	Local Board Powers-Terminate employment of personnel
22-32-110(1)(i)	Local Board Powers-Reimburse employees for expenses
22-32-110(1)(j)	Local Board Powers-Procure life, health, or accident insurance
22-32-110(1)(ee)	Local Board Powers-Employ teachers' aides and other noncertificated personnel
22-32-110(1)(y)	Local Board Powers-Accept gifts, donations, grants
22-32-109(1)(t)	Local Board Duties Concerning Textbooks and Curriculum
22-32-109(1)(f)	Local Board Duties Concerning Selection of Staff, and Pay
22-32-109(1)(b)	Local Board Duties Concerning Competitive Bidding
22-32-126	Employment and Authority of Principals
22-32-110(1)(k)	Local Board Powers-Policies relating to inservice training and official conduct
22-63-301	Teacher Employment Act-Grounds for dismissal
22-32-109(1)(n)(II)(A)	Determine teacher-pupil contact hours

Non-automatic Waivers

22-32-109(1)(n)(I)	Local Board Duties Concerning School Calendar
22-63-206	Teacher Employment Act-Transfer of teachers
22-2-112(1)(q)(I)	Commissioner-Duties (reporting performance evaluation ratings)
22-7-1014(2)(a)	Preschool individualized readiness plans-school readiness-assessments
22-32-109(1)(n)(II)(B)	Adopt District Calendar
22-9-106	Local Board Duties Concerning Performance Evaluations
22-63-201	Teacher Employment Act - Compensation & Dismissal Act-Requirement to hold a certificate
22-32-109(1)(e)	Local Board Duties Concerning Minutes of Proceedings Open To Public
22-63-202	Teacher Employment Act - Contracts in writing, damage provision
22-63-203	Teacher Employment Act-Requirements for probationary teacher, renewal & nonrenewal

Rationale and Replacement Plans for Non-Automatic Waiver Requests

C.R.S. 22-32-109(1)(n)(I) Local Board Duties Concerning School Calendar

Rationale: MA is a unique school and must be able to develop and adopt a school calendar that meets its educational goals and the needs of its constituency.

Replacement Plan: A finalized calendar and school day schedule for MA will be officially adopted annually after input from all relevant stakeholders is considered and thoughtful assessment of the needs of the school is completed. The calendar and schedule will be publicly available and publicized to the school community.

Duration of the Waivers: MA requests that the waiver be for the duration of its charter contract.

Financial Impact: No significant impact on the budget of the school or district.

How the Impact of the Waivers will be evaluated: The impact of the waiver will be measured by the performance criteria and assessments that apply to MA, as set forth in the renewal application.

Expected Outcome: As a result of this waiver, MA will be able to develop and adopt a school calendar and schedule that best fits the school's mission and the needs of its community.

C.R.S. § 22-63-206 Teacher Employment Act-Transfer of teachers

Rationale: The Charter Schools Act requires that a charter school be responsible for its own personnel matters, which includes teacher transfers.

Replacement Plan: MA will make staff assignments, and will approve any transfers, based on its needs and educational goals. Staff will not be assigned to positions for which they are not determined by the school to be qualified.

Duration of the Waivers: MA requests that the waiver be for the duration of its charter contract.

Financial Impact: No significant impact on the budget of the school or district.

How the Impact of the Waiver will be evaluated: The impact of the waivers will be measured by the performance criteria and assessments that apply to MA, as set forth in the renewal application.

Expected Outcome: MA expects that, as a result of this waiver, it will have the flexibility needed to properly manage its personnel to meet the educational mission of the school.

C.R.S. § 22-2-112(1)(q)(I) Commissioner-Duties (reporting performance evaluation ratings)

Rationale: In order for the school to function according to its unique needs and design, evaluation tools and systems must be developed and adopted that match the educational program of the school.

Replacement Plan: MA will provide evaluation for all staff in accordance with its policies and as outlined in the renewal application. Teachers, administrators, and other staff will be evaluated under clear quality standards and held accountable by their designated supervisors. The evaluation system will be modified, as needed, to fit the needs of the school in achieving its goals.

Duration of the Waivers: MA requests that the waiver be for the duration of its charter contract.

Financial Impact: No significant impact on the budget of the school or district.

How the Impact of the Waivers will be evaluated: The impact of the waivers will be measured by the performance criteria and assessments that apply to MA, as set forth in the renewal application.

Expected Outcome: With this waiver, MA will be able to implement its unique educational program and evaluate staff in a manner that is consistent with that program and produces greater accountability to the school. This alignment will benefit staff members, as well as students and the community.

22-7-1014(2)(a) Preschool individualized readiness plans--school readiness--assessments

Rationale: MA should have the authority to implement relevant curriculum and assessments that ensure students success in higher learning. The domains of physical well-being, motor development, social-emotional development, language and comprehension development; and cognition and general knowledge are assessed daily due to the present curriculum and assessments. Support is readily available through numerous avenues based throughout the program.

Replacement Plan: MA has a half-day and full-day kindergarten program utilizing the Core Knowledge curriculum in addition to the Colorado State Standards.

1. Physical well-being and motor development:

- Students participate weekly in a structured physical education class that meets and exceeds state standards. Students are assessed on motor-development skills acquired throughout the year. In addition students participate in a structured recess program daily that encourages gross motor development.
- Students participate weekly in Art education meeting or exceeding state standards. Development of fine motor skills is achieved through drawing, painting and making objects. Students are assessed on fine motor skills acquired throughout the year.
- Students participate weekly in music education meeting or exceeding state standards. Students participate in a variety of movement and rhythm exercises. Students are assessed throughout the year in these

areas. • Students participate in weekly tech classes learning keyboarding and how to manipulate the various functions of the computer. Students are assessed throughout the year. • Assessment information is gathered by observation protocols based on appropriate developmental guidelines and State Standards in the area of physical well-being and motor development.

2. Social-emotional development (based on State Standards):
 - Students are instructed in the positive behavior support system designed by the school. This includes classroom, cafeteria, recess and hallway expectations. Students are rewarded for the positive behavior they demonstrate. • Various classroom positive behavior techniques are implemented. These include red/yellow/green chart, individual behavior charts, and whole class rewards. This is to strengthen self-regulation and executive-function that help them pay attention, remember directions and control their behavior. • Students are instructed in the Character First curriculum and program for elementary-age children. It is a character program that focuses on social skills for kindergarten students that help develop character traits in their lives. • Assessment information is gathered by observation protocols by the classroom teacher based on appropriate developmental guidelines and Colorado State Standards.
3. Language and comprehension development (based on State Standards):
 - Students receive instruction 90 minutes each day using the Core Knowledge Language Arts curriculum. This is a comprehensive program for reading writing, listening and speaking that builds vocabulary and knowledge. Students master sounds and letters for fluent decoding and encoding and build knowledge, language and vocabulary that are essential for comprehension. Assessments are administered every two weeks to monitor growth. • DibelsNext assessment is administered three times per year. Any student who does not meet benchmark is progress monitored every two or three weeks to note progress. Students not making benchmark are assessed with the Burst assessment to determine the literacy area most in need of improvement. If the student is far below benchmark on two consecutive administrations the student is placed on a READ plan and given an additional 30 minutes of small group instruction each day. If Burst does not prove successful, the student is placed into a specialized group using a “Take Flight” program that aligns with the requirements set for in the READ Act.
4. Cognition and general knowledge (based on State Standards):
 - Students receive 60 minutes of math instruction using Saxon Math curriculum. This curriculum is based on the Colorado State Standards for math. Assessment is given every two weeks to monitor progress. Students who fall behind are given additional time in small group or 1:1 sessions with the teacher in the area of need. • Science – Students are instructed on various topics including: Plants and Animals; Animals and their Needs; Human Body (including taking care of their body with exercise, cleanliness, healthy foods and rest); Introduction to Magnetism; Seasons and Weather; and Taking care of the Earth. Assessment is given regularly to monitor progress. • History and Geography – Students are instructed on various topics including: Geography – Spatial Sense (working with maps and globe students recognize rivers, lakes, mountains, Atlantic and Pacific Oceans and North and South Pole.); an overview of the seven continents; Native American Peoples, Past and Present; Early Exploration and Settlement (including the voyage of Columbus, the Pilgrims, and Independent Day), Presidents, Past and Present (including Washington, Jefferson, Lincoln, Theodore Roosevelt, and current United States President), and symbols and Figures (including the American Flag, Statue of Liberty, Mount Rushmore and The White House). Assessments are given regularly to monitor progress. • Assessments information is gathered from formal curriculum assessments and classroom teacher observations based on appropriate developmental guidelines and State Standards. Any student not making adequate growth in any of the above areas receive Response to Intervention strategies in small groups or 1:1 instruction. RtI plans are developed with the support documentation attached. The

information includes results of formal assessments, informal assessments and developmental checklists. This information is housed in Alpine Achievement, which is an internet based achievement data management system. The 'warehouse' function of this program brings together achievement data from many sources, generates student and summary reports and allows for distribution to appropriate RtI personnel. If students do not respond with adequate growth following this intervention they may be referred to our ESS team of professionals. This team should already be aware of the student's needs as a member of the team serves on the RtI team as well. The student may be reviewed to see if the parents need to be contacted for a request/permission to evaluate the student for further services. Methods and assessments used are clear and relevant and have the goal of improving student academic growth, and meet the intent of the quality standards established in State Statue 22-7- 1014(2)(a).

Duration of the Waiver: MA requests that the waiver be for the duration of its charter contract.

Financial Impact: No significant impact on the budget of the school or district.

How the Impact of the Waiver will be Evaluated: The impact of the waivers will be measured by the performance criteria and assessments that apply to MA, as set forth in the renewal application.

Expected Outcome: With this waiver, MA will be able to align the school readiness assessment and individualized plans to the principles, curriculum, and educational goals specific to MA as defined in its charter school renewal application and contract. This alignment will save teachers valuable time, and lead to a more streamlined experience for the students. It will also provide more usable data to teachers for educating each individual student in accordance with the school's mission.

C.R.S. 22-32-109(1)(n)(II)(B) Adopt District Calendar

Rationale: MA is a unique school and must be able to develop and adopt a calendar and school day schedule that meets its educational goals and the needs of its constituency.

Replacement Plan: A finalized calendar and school day schedule for MA will be officially adopted annually after input from all relevant stakeholders is considered and thoughtful assessment of the needs of the school is completed. The calendar and schedule will be publicly available and publicized to the school community.

Duration of the Waivers: MA requests that the waiver be for the duration of its charter contract.

Financial Impact: No significant impact on the budget of the school or district.

How the Impact of the Waivers will be evaluated: The impact of the waivers will be measured by the performance criteria and assessments that apply to MA, as set forth in the renewal application.

Expected Outcome: As a result of this waiver, MA will be able to develop and adopt a school calendar and schedule that best fits the school's mission and the needs of its community.

C.R.S. § 22-9-106 Local Board of Education Duties Concerning Performance Evaluations

Rationale: In order for the school to function according to its unique needs and design, evaluation tools and systems must be developed and adopted that match the educational program of the school.

Replacement Plan: MA will provide evaluation for all staff in accordance with its policies and as outlined in the renewal application. Teachers, administrators, and other staff will be evaluated and held accountable by their designated supervisors. The evaluation system will be modified, as needed, to fit the needs of the school in achieving its goals.

Duration of the Waivers: MA requests that the waiver be for the duration of its charter contract.

Financial Impact: No significant impact on the budget of the school or district.

How the Impact of the Waivers will be evaluated: The impact of the waivers will be measured by the performance criteria and assessments that apply to MA, as set forth in the renewal application.

Expected Outcome: With this waiver, MA will be able to implement its unique educational program and evaluate staff in a manner that is consistent with that program and produces greater accountability to the school. This alignment will benefit staff members, as well as students and the community.

C.R.S. § 22-63-201 Teacher Employment Act - Compensation & Dismissal Act-Requirement to hold a certificate

Rationale: The Charter Schools Act requires that MA be responsible for its own personnel matters. MA will be solely responsible for selecting, supervising, disciplining, determining compensation for and terminating its employees.

Replacement Plan: MA will hire staff that are most qualified to implement the educational program and fulfill the educational mission of the school. In order to hire the most qualified, it may be beneficial for MA to be able to hire teachers who don't hold a certificate, but who possess unique background and/or skills, or fill a need for the school.

Duration of the Waivers: MA requests that the waiver be for the duration of its charter contract.

Financial Impact: No significant impact on the budget of the school or district.

How the Impact of the Waiver will be evaluated: The impact of the waivers will be measured by the performance criteria and assessments that apply to MA, as set forth in the renewal application.

Expected Outcome: As a result of this waiver, MA will be able to hire the most qualified applicants for a position. MA will be able to employ professional staff that possess unique skills, and/or backgrounds, needed to meet the unique educational program of the school.

22-32-109(1)(e) Local Board Duties Concerning Minutes of Proceedings Open To Public

Rationale: MA does not operate within the administrative offices of the district and does not make its board meeting minutes available in a hard copy format in the administrative offices of the district.

Replacement Plan: MA will make its board meeting minutes available to the public upon request, and the minutes will be open for public inspection at any time, as the minutes will be posted on its website.

Duration of the Waivers: MA requests that the waiver be for the duration of its charter contract.

Financial Impact: No significant impact on the budget of the school or district.

How the Impact of the Waiver will be evaluated: The impact of the waivers will be measured by the performance criteria and assessments that apply to MA, as set forth in the renewal application.

Expected Outcome: MA will utilize technology, specifically its website, to make board meeting minutes available to the public. This will decrease the logistical burden of ensuring the minutes are available in the district's offices.

C.R.S. § 22-63-202 Teacher Employment Act - Contracts in writing, damage provision

Rationale: The Charter Schools Act requires MA to be responsible for its own personnel matters. MA will be responsible for its own personnel matters, including employing its own staff and establishing its own terms and conditions of employment, policies, rules and regulations, and termination procedures. The success of the school will depend in large part upon its ability to select and employ its own staff and to terminate individual staff members should they not perform in accordance with the goals and objectives of the school. MA staff will be employed on an at-will basis.

Replacement Plan: The School will be responsible for these matters. Specific policies and procedures for termination will be developed and regularly reviewed. Any disciplinary or termination actions will follow all applicable state and federal laws, including those related to unlawful harassment and discrimination.

Duration of the Waivers: MA requests the waiver be granted for the duration of its charter contract.

Financial Impact: No significant impact on the budget of the school or district.

How the Impact of the Waivers will be evaluated: The impact of the waivers will be measured by the performance criteria and assessments that apply to MA, as set forth in the renewal application.

Expected Outcome: As a result of this waiver, the school will be able to properly manage its own personnel in a manner that maximizes its ability to meet the educational mission and goals of the school.

C.R.S. § 22-63-203 Teacher Employment Act-Requirements for probationary teacher, renewal & nonrenewal

Rationale: The Charter Schools Act requires MA to be responsible for its own personnel matters. MA will be responsible for its own personnel matters, including employing its own staff and establishing its own terms and conditions of employment, policies, rules and regulations, and termination procedures. The success of the school will depend in large part upon its ability to select and employ its own staff and to terminate individual staff members should they not perform in accordance with the goals and objectives of the school. MA staff will be employed on an at-will basis.

Replacement Plan: The School will be responsible for these matters. Specific policies and procedures for termination will be developed and regularly reviewed. Any disciplinary or termination actions will follow all applicable state and federal laws, including those related to protected classes.

Duration of the Waivers: MA requests the waiver be granted for the duration of its charter contract.

Financial Impact: No significant impact on the budget of the school or district.

How the Impact of the Waivers will be evaluated: The impact of the waivers will be measured by the performance criteria and assessments that apply to MA, as set forth in the renewal application.

Expected Outcome: As a result of this waiver, the school will be able to properly manage its own personnel in a manner that maximizes its ability to meet the educational mission and goals of the school.