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Charter School Non-Automatic Waiver Request

The school requests the following non-automatic state waivers:

- **C.R.S. § 22-9-106 Local Board of Education-Duties-Performance Evaluation System**
- **C.R.S. § 22-2-112(1)(q)(I) Commissioner-Duties**
- **C.R.S. § 22-32-109(1)(n)(I) Board of Education- Specific Duties School Calendar**
- **C.R.S. § 22-32-109(1)(n)(II)(B) Board of Education-Specific Duties Adoption of District Calendar**
- **C.R.S. § 22-32-109(1)(n)(II)(A) Determine teacher-pupil contact hours**
- **C.R.S. § 22-63-201 Employment. Certificate required**
- **C.R.S. § 22-63-202 Teacher employment, contracts in writing-duration-damage provision**
- **C.R.S. § 22-63-203 Probationary Teachers -renewal and non-renewal of employment contract**
- **C.R.S. § 22-63-206 Teacher Employment, Compensation and Dismissal Act**

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan Statutory Citation and Title C.R.S. § 22-9-106 Local Board of Education-Duties-Performance Evaluation System C.R.S. § 22-2-112(1)(q)(I) Commissioner-Duties Rationale: The school leader of Denver Language School 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, Denver Language School 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) Replacement Plan: Denver Language School 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. Denver Language School's evaluation system will continue to meet the intent of the law as outlined in statute. The methods used for Denver Language School'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. Core course level participation will continue to be reported PURSUANT TO C.R.S. 22-11-503.5, as this is a non-waivable statute. Duration of Waivers: The duration of the contract.

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

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. 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.

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan Statutory Citation and Title C.R.S. §22-32-109(1)(n)(I) Board of Education- Specific Duties School Calendar C.R.S.

§22-32-109(1)(n)(II)(B) Board of Education-Specific Duties Adoption of District Calendar Rationale:

The school year at Denver Language School will total approximately 173 per year which exceeds the current requirement in state statute. Denver Language School 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 Denver Language School 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 Denver Language School 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 waivers will have no financial impact on 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: C.R.S. 22-32-109(1)(n)(II)(A) Determine teacher-pupil contact hours Rationale: Denver Language School 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. Denver Language School 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 Denver Language School may specify teacher-pupil contact hours that differ from other schools in the district. Replacement Plan: Denver Language School 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. Duration of Waivers: The duration of the contract.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on 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 appraisal criteria and assessments that apply to the school, as per this Charter School Agreement. Expected Outcome: As a result of this waiver, 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 C.R.S. § 22-63-201 Employment. Certificate required C.R.S. § 22-63-202 Teacher employment, contracts in writing-duration-damage provision Rationale: Denver Language School 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 Denver Language School will be employed on an at-will basis. All employees of Denver Language School will meet Federal Highly Qualified Requirements (i.e.: hold a degree and demonstrated subject-matter competency). 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 Denver Language School.

Duration of Waivers: The duration of the contract.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on 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

Statutory Citation and Title: C.R.S. § 22-63-203 Probationary Teachers -renewal and non-renewal of employment contract Rationale: Denver Language School 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 Denver Language School. All employees of the school will be employed on an at-will basis. Replacement Plan: Denver Language School 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 waivers will have no financial impact on 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 Statutory Citation and Title: C.R.S. § 22-63-206 Teacher Employment, Compensation and Dismissal Act **Rationale:** Denver Language School is granted the authority under the Charter School Agreement to select its own teachers. No other school or the Denver Public Schools should not have the authority to transfer its teachers into Denver Language School or transfer teachers from Denver Language School to any other schools, except as provided for in the Charter School Agreement. **Replacement Plan:** Denver Language School 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 waivers will have no financial impact on 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.

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan Statutory Citation and Title:

Rationale: Replacement Plan:

Duration of Waivers: The duration of the contract. Financial Impact: How the Impact of the Waivers Will be Evaluated: Expected Outcome:

Appendix A: Automatic State Waivers for Charter Schools You do not need to write rationale and replacement language for automatic waivers.

Automatic Waiver List as of 6/1/16 State Statute Citation Description

22-32-109(1)(b), C.R.S. Local board duties concerning competitive bidding 22-32-109(1)(f), C.R.S. Local board duties concerning selection of staff and pay 22-32-109(1)(t), C.R.S. Determine educational program and prescribe textbooks 22-32-110(1)(h), C.R.S. Local board powers-Terminate employment of personnel 22-32-110(1)(i), C.R.S. Local board duties-Reimburse employees for expenses 22-32-110(1)(j), C.R.S. Local board powers-Procure life, health, or accident insurance

22-32-110(1)(k), C.R.S.

Local conduct

board powers-Policies relating the in-service training and official

22-32-110(1)(y), C.R.S. Local board powers-Accepting gifts, donations, and grants

22-32-110(1)(ee), C.R.S.

Local personnel

board powers-Employ teachers' aides and other non-certificated

22-32-126, C.R.S. Employment and authority of principals 22-33-104(4) Compulsory school attendance-Attendance policies and excused absences 22-63-301, C.R.S. Teacher Employment Act-Grounds for dismissal 22-63-302, C.R.S. Teacher Employment Act-Procedures for dismissal of teachers 22-63-401, C.R.S. Teacher Employment Act-Teachers subject to adopted salary schedule 22-63-402, C.R.S. Teacher Employment Act-Certificate required to pay teachers 22-63-403, C.R.S. Teacher Employment Act-Describes payment of salaries 22-1-112, C.R.S. School Year-National Holidays