



Re: Online posting of waivers and replacement plans

Please be aware that, with passage of House Bill 17-1375, districts that have waivers from state statutes under C.R.S. 22-2-117 or who have been designated as a District of Innovation and carry waivers under this designation have a new reporting requirement that takes effect July 1.

New requirement

On the financial transparency page of the district website, all districts that carry current waivers from state statutes must provide the following information (or provide a link to a separate page that includes the following):

1. List separately each state waiver granted to the district or to the district's innovation school or schools in an innovation school zone; and
2. A copy of the "replacement plan" for each waiver - by innovation school or innovation school zone when appropriate - explaining the manner in which the district, school, or zone will meet the intent of the waived statute.

Deadline for compliance: July 1, 2017

Why is this necessary?

Supporting best practices for transparency, this is a new and immediate requirement created by H.B. 17-1375. The applicable section of the legislation is included below:

C.R.S. 22-44-305(1) states:

"(a) Commencing July 1, 2017, and on a continuing basis thereafter, each school district... shall post, in a location and format that can be easily accessed and downloaded, for free public access on its website...a list of the statutes for which the school district... has received a waiver from the state board of education and... a copy of the plan that explains the manner in which the school district... will meet the intent of the waived statute.

(c) In listing its waivers, a school district shall...list separately each waiver granted to an innovation school or to schools in an innovation school zone, as defined in section 22-32.5-103."

All districts with current waivers from state statute and Districts of Innovation must take action to meet the posting requirements of H.B. 17-1375 as of July 1, 2017. There are additional



requirements related to HB17-1375 that will take effect in 2018 and in subsequent years. CDE will provide an alert on these requirements at a later date.

Where can I find my waivers?

Districts should have a list of their current waivers from state statute (and rationale and replacement plans) in the applications that were submitted to the State Board of Education (including innovation applications when applicable). Copies of innovation applications that have been approved as of 4/01/2017 can also be found on the CDE website here:

<https://www.cde.state.co.us/choice/innovationschoolsarchive>

Why is this getting posted to the Financial Transparency site?

C.R.S. 22-44-305 (1) (a) reads that the waiver information shall be accessible “on [the local education provider’s] website maintained pursuant to this Part 3...” The Part 3 that is referred to is the financial transparency website for the district.

Does a district have to post waiver information for charter schools?

No. As referenced in HB17-1375, a charter school is considered its own “local education provider” and so is responsible for posting the school’s waivers and replacement plans on the school’s website.

Does a district have to post waiver information for innovation schools?

Yes. As stated in HB17-1375, a district needs to post information about innovation school waivers on the district’s site. The district may choose to meet this requirement by posting waiver information on the school website and then including a link to this part of the school site on the district transparency site. The district may also choose to post all of the waiver information directly to the district transparency site.

What if we do not have any waivers?

Depending on your role in the district, you may not know if your district has any innovation schools as defined in state statute or have any current district-wide waivers from state statute. We have included a list of districts that either have innovation schools in the district or have a district-level statutory waiver that is not specific to innovation schools. If you manage the financial transparency site for a district that is not listed, our recommended best practice is to add an explanation to the waiver section of the template that your district currently does not have any waivers from state statute.

If you have any follow-up questions, please contact Bill Kottenstette in the Schools of Choice Office at (303) 866-6365 or by email at Kottenstette_B@cde.state.co.us



Districts with Innovation Schools (“Districts of Innovation”):

- Aurora Public Schools
- Burlington
- Delta County
- Denver Public Schools
- Falcon 49
- Greeley
- Holyoke
- Kit Carson
- Mancos
- Montrose
- Pueblo City 60
- Westminster
- Weld
- Thompson

Districts with direct waivers from state statute:

- Academy 20
- Aurora Public Schools
- Bennett School District 29J
- Cheyenne Mountain 12
- Colorado Springs District 11
- Douglas County
- Denver Public Schools
- Elbert County (Kiowa)
- Falcon 49
- Jeffco
- Lewis-Palmer School District #38
- Peetz Plateau RE-5
- Strasburg School District
- Woodlin
- Wray