

State Statute Waivers

WAIVER REQUESTS – COLORADO STATE STATUTES

School Proposal	Colorado State Statues: Section 22-32-109(1)(f): Local Board Duties Concerning Selection of Personnel and Pay	Teaching: Human Resource Management: Staff Hiring, Compensation
Policy	22-32-109. Board of education - specific duties. (1)each board of education shall have and perform the following specific duties:(f) (I) To employ all personnel required to maintain the operations and carry out the educational program of the district and to fix and order paid their compensation...A board of a district of innovation...may delegate the duty specified in this paragraph (f) to an innovation school	
Replacement Policy	Pursuant to state law, the DPS board will delegate the duty specified in this paragraph to the innovation school. The principal, in consultation with the SAC, will select classroom teachers directly and rates of pay will be at or above the district schedule. For all unique job descriptions the Principal in consultation with the SAC shall determine the rate of pay during the budget cycle each Spring for the following year.	
School Proposal	Section 22-32-109(1)(g): Handling of Money	Governance: Budget
Policy	(g) To require any employee or other person who may receive into his custody moneys which properly belong to the district to deliver such moneys to the treasurer of the district, or to deposit such moneys in a depository designated by the board;	
Replacement Policy	In accordance with the innovation plan, the school may receive moneys and deposit such moneys into a school account. The School will establish an account with the district to manage receipt of locally raised money and will have autonomy in making deposits in and withdrawals from the account when such actions are taken to further the academic achievement of students at the school. The school will account for all moneys that it receives directly and will report to the DPS Budget Partner.	
School Proposal	Section 22-32-109(1)(n)(I): Schedule and Calendar	Educational Program: Calendar and Schedule

Policy	<p>(n) (I) To determine, prior to the end of a school year, the length of time which the schools of the district shall be in session during the next following school year, but in no event shall said schools be scheduled to have fewer than one thousand eighty hours of planned teacher-pupil instruction and teacher-pupil contact during the school year for secondary school pupils in high school, middle school, or junior high school or less than nine hundred ninety hours of such instruction and contact for elementary school pupils or fewer than four hundred fifty hours of such instruction for a half-day kindergarten program or fewer than nine hundred hours of such instruction for a full-day kindergarten program. In no case shall a school be in session for fewer than one hundred sixty days without the specific prior approval of the commissioner of education. In extraordinary circumstances, if it appears to the satisfaction of the commissioner that compliance with the provisions of this subparagraph (I) would require the scheduling of hours of instruction and contact at a time when pupil attendance will be low and the benefits to pupils of holding such hours of instruction will be minimal in relation to the cost thereof, the commissioner may waive the provisions of this subparagraph (I) upon application therefore by the board of education of the district.</p>	
Replacement Policy	<p>In accordance with the innovation plan, the school’s principal, in consultation with the SAC, shall determine, prior to the end of a school year, the length of time the school will be in session during the following school year. The actual hours of teacher-pupil instruction and teacher-pupil contact shall meet or exceed the minimum hours set by the district and state for public instruction. In no event shall the calendar or schedule violate protections provided to teachers in the policy for Article 8 of the DCTA agreement.</p>	
School Proposal	<p>Section 22-32-109 (1)(n)(II)(A): Actual Hours of Teacher-Pupil Instruction and Contact</p>	<p>Educational Program: Calendar and Schedule</p>
Policy	<p>(II) (A) The actual hours of teacher-pupil instruction and teacher-pupil contact specified in subparagraph (I) of this paragraph (n) may be reduced to no fewer than one thousand fifty-six hours for secondary school pupils, no fewer than nine hundred sixty eight hours for elementary school pupils, no fewer than four hundred thirty-five hours for half-day kindergarten pupils, or no fewer than eight hundred seventy hours for full-day kindergarten pupils, for parent-teacher conferences, staff in-service programs, and closing deemed by the board to be necessary for the health, safety, or welfare of students.</p>	
Replacement Policy	<p>In accordance with the innovation plan, the school’s principal, in consultation with the SAC, shall determine, prior to the end of a school year, the length of time the school will be in session during the following school year. The actual hours of teacher-pupil instruction and teacher-pupil contact shall meet or exceed the minimum hours set by the district and state for public instruction. In no event shall the calendar or schedule violate protections provided to teachers in the policy for Article 8 of the DCTA agreement.</p>	
School Proposal	<p>Section 22-32-109 (1)(n)(II)(B): School Calendar</p>	<p>Educational Program: Calendar and Schedule</p>
Policy	<p>(B) Prior to the beginning of the school year, each district shall provide for the adoption of a district calendar which is applicable to all schools within the district...A copy of the calendar shall be provided to the parents or guardians of all children enrolled...Such calendar shall include the dates for all staff inservice programs...[The] school administration shall allow for public input from parents and teachers prior to scheduling ...staff in-service programs. Any change in the calendar...shall be preceded by adequate and timely...of not less than thirty days.</p>	

Replacement Policy	<p>No later than 60 days before the end of the school year, the principal, in consultation with the SAC will determine the following year's school calendar and school day schedule that meets or exceeds district and state determinations of the length of time during which schools shall be in session during the next school year.</p> <p>Input from parents and teachers will be sought prior to scheduling in-service programs and other nonstudent contact days. This calendar and schedule shall serve as the academic calendar and schedule for</p>
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	<p>the school. All calendars shall include planned work dates for required staff in-service programs. Any change in the calendar except for emergency closings or other unforeseen circumstances shall be preceded by adequate and timely notice of no less than 30 days.</p> <p>A copy of the upcoming school-year calendar and school day schedule shall be provided to all parents/guardians of students who are currently enrolled. The approved upcoming school year calendar and school day hours will be placed on the school's website prior to May 1 of the prior academic year and a copy shall be provided to the school's Instructional Superintendent.</p> <p>In no case shall changes to the schedule or calendar violate teacher rights provided in the policy for Article 8 of the DCTA contract.</p>
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School Proposal	Section 22-32-109(1)(t): Determine Educational Program and Prescribe Textbooks	Education Program
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Policy	(t) To determine the educational programs to be carried on in the schools of the district and to prescribe the textbooks for any course of instruction or study in such programs;	
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Replacement Policy	<p>The DPS Board authorizes the school to develop an educational program that aligns to the mission and vision of the school and enables the school to implement the innovation plan.</p> <p>The school curriculum will provide a program of instruction that enables students to meet or exceed the CCSS and CAS. The school will regularly evaluate its education program and make changes to curriculum content, instruction, and assessments.</p> <ul style="list-style-type: none"> ● Curriculum development will be carried out by school personnel, consistent with the school's innovation plan, using all available resources. ● The School will utilize textbooks and/or equivalent learning materials specific to each course and grade level as chosen by WGA / Early College Instructional Leadership Team (ILT). The ILT has the choice to prescribe the DPS curriculum for the course or a quality alternative. <p>The district will evaluate the impact of the school's education program as part of its 3 year review of the school's innovation plan in addition to the annual UIP review by the CSC. Any interim changes must be approved by the Principal and Instructional Superintendent.</p>	
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School Proposal	Section 22-32-109(1)(aa): Adopt Content Standards and Plan for Implementation of Content Standards	Education Program
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Policy	(aa) To adopt content standards and a plan for implementation of such content standards pursuant to the provisions of section 22-7-407 ;	
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Replacement Policy	<p>In accordance with the innovation plan, the school will implement the Colorado Academic Standards and Common Core State Standards. The DPS Board delegates to the school the authority to develop a local plan for implementation of the CCSS and the CAS in a way that aligns to the school's innovation plan.</p>	
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School Proposal	Section 22-32-109(1)(jj): Identify Areas in which the Principal/s Require Training or Development	Teaching: Human Resource Management: Professional Development
Policy	(jj) To identify any areas in which one or more of the principals of the schools of the school district require further training or development. The board of education shall contract for or otherwise assist the identified principals in participating in professional development programs to assist the identified principals in improving their skills in the identified areas.	
Replacement Policy	In accordance with the innovation plan, the school's principal and the district evaluator shall jointly determine the required training or development of the principal and the administrative team. The principal and the administrative team will not be required to participate in district training not related to the innovation plan unless those trainings are agreed upon by the principal and district evaluator as part	
	of the principal's professional development plan.	
School Proposal	22-32-110(1)(ee) Local Board Powers-Employ teachers' aides and other noncertificated personnel	Teaching: Human Resource Management: Hiring Teacher Aides
Policy	(1) In addition to any other power granted to a board of education of a school district by law, each board of education of a school district shall have the following specific powers, to be exercised in its judgment: (ee) To employ on a voluntary or paid basis teachers' aides and other auxiliary, nonlicensed personnel to assist licensed personnel in the provision of services related to instruction or supervision of children and to provide compensation for such services rendered from any funds available for such purpose, notwithstanding the provisions of sections	
Replacement Policy	The DPS board grants autonomy to the principal, in consultation with the SAC, to make staffing decisions in consultation with the Department of Human Resources. The school may employ non-licensed personnel to provide instruction or supervision of children that is supplemental to the core academic program and in compliance [REDACTED]	