

C3 APPENDIX E WAIVER REQUESTS

APPENDIX E BOARD POLICY WAIVERS		
Policies Waived	Areas of Impact	Replacement Policies and/or Practices
BDFH: Collaborative School Committees	School Governance	<ul style="list-style-type: none"> • The School requests waivers from policy BDFH. • As described in the Innovation Plan, the School’s Collaborative School Committee will be replaced by an IAC to support the implementation of the Innovation Plan.
CFBA: Evaluation of Evaluators	Human Resource Management: Teacher Evaluation	<ul style="list-style-type: none"> • The School requests waivers from policy CFBA. • The School has the authority to identify, prepare and evaluate its own evaluators. The School’s evaluation system will meet the standards of SENATE BILL 10-191.
DF: Revenue from Non Tax Sources	Budget	<ul style="list-style-type: none"> • The School requests waivers from policy DF. • The School has the authority to collect revenue directly from sponsorships, subject to District oversight through routine reporting to the Office of Budget.
DF-R: Revenue from Non Tax Sources Procedures for School-Based Sponsorships	Budget	<ul style="list-style-type: none"> • The School requests waivers from policy DF-R. • The School has the authority to collect revenue directly from sponsorships subject to District oversight through routine reporting to the Office of Budget.
GBEBA: Staff Dress, Accessories and Grooming for Certificated Staff (Teachers)	Human Resource Management: Dress Code	<ul style="list-style-type: none"> • The School requests waivers from policy GBEBA. • The School has the authority to establish its own policy for staff dress and grooming, which will be outlined in the Employee Handbook.
GBEBA-R: Staff Dress, Accessories and Grooming for Certificated Staff (Teachers) Procedure	Human Resource Management: Dress Code	<ul style="list-style-type: none"> • The School requests waivers from policy GBEBA-R. • The School has the authority to establish its own policy for staff dress and grooming, which will be outlined in the Employee Handbook.

GBEBB: Dress Code for Non-Teaching Staff	Human Resource Management: Dress Code	<ul style="list-style-type: none"> • The School requests waivers from policy GBEBB. • The School has the authority to establish its own policy for staff dress and grooming, which will be outlined in the Employee Handbook.
GCB: Professional Staff Contracts & Compensation	Human Resource Management: Hiring, Compensation, Job Descriptions	<ul style="list-style-type: none"> • The School requests waivers from policy GCB. • The School has the authority to issue its own employment offer letters. The School's letter will outline the terms of employment. • The School has the authority to establish its own compensation system for all employees. The School will meet or exceed the rates of pay set in the DPS/DCTA Collective Bargaining Agreement, including ProComp. • The School will meet minimum statutory requirements.
GCCAA-R: Sick Leave Bank	Human Resource Management	<ul style="list-style-type: none"> • The School requests a waiver from policy GCCAA-R. • The School will partner with staff, Human Resources, the Budget Office, and the Office of School Reform and Innovation to draft and implement of policy for short leave of absence. • The policy will be approved by Human Resources and the Budget Office. • The policy will "grandfather" teachers who are current employees of the District who have accumulated sick leave time. Such employees will be entitled to use that sick leave and also be entitled to payment for any unused accumulated sick leave when they retire • The policy will be outlined in the Employee Handbook.
GCF: Professional Staff Hiring	Human Resource Management: Hiring	<ul style="list-style-type: none"> • The School requests waivers from policy GCF. • School has the authority to develop and implement its own policies and procedures for hiring staff, including creating a hiring schedule that best meets the needs of the School. • The School has the authority to adopt policies and procedures to ensure that background checks are completed for all personnel.
GCF-2 : Professional Staff Hiring (Athletic Coaches)	Human Resource Management: Hiring	<ul style="list-style-type: none"> • The School requests waivers from policy GCF-2. • The School has the authority to develop and implement its own policy for hiring athletic coaches.

GCID: Professional Staff Training, Workshops and Conferences	Human Resource Management: Professional Development	<ul style="list-style-type: none"> • The School requests waivers from policy GCID. • The School has the authority to develop and implement its own professional development program that supports the education plan. • The School retains the option to participate in any professional development programs offered by the District.
GDBD: Employee Fringe Benefits	Human Resource Management	<ul style="list-style-type: none"> • The School requests a waiver from policy GDBD. • The School will partner with staff, Human Resources, the Budget Office, and the Office of School Reform and Innovation to draft and implement of policy for short leave of absence. • The policy will be approved by Human Resources and the Budget Office. • The policy will “grandfather” staff members who are current employees of the District who have accumulated sick leave time. Such employees will be entitled to use that sick leave and also be entitled to payment for any unused accumulated sick leave when they retire • The policy will be outlined in the Employee Handbook.
GDD: Support Staff Vacations and Holidays	Calendar & Schedule	<ul style="list-style-type: none"> • The School requests a waiver from policy GDD. • The School has the authority to develop its own policies and procedures for granting staff vacations and holidays, which will be outlined in the Employee Handbook.
GDK: Support Staff Schedules and Calendars	Calendar & Schedule	<ul style="list-style-type: none"> • The School requests waivers from policy GDK. • The School has the authority to develop its own annual calendar and daily schedule that aligns with the Innovation Plan and that meets or exceeds the minimum standards of the District and state.
IC/ICA: School Year/School Calendar	Calendar & Schedule	<ul style="list-style-type: none"> • The School requests waivers from policy IC/ICA. • The School has the authority to develop its own annual calendar that aligns with the Innovation Plan and that meets or exceeds the minimum standards of the District and state.
IJOA: Field Trips	Education Program	<ul style="list-style-type: none"> • The School requests waivers from policy IJOA. • The School will develop and implement procedures to conduct field trips and extended day excursions.

IJOA-R: Field Trips (Guidelines for Extended Excursions)	Education Program	<ul style="list-style-type: none"> • The School requests waivers from policy IJOA-R. • The School will develop and implement procedures for field trips and extended day excursions.
IKB: Homework	Education Program	<ul style="list-style-type: none"> • The School requests waivers from policy IKB. • The School has the authority to develop and implement a homework policy that supports the education program described in the Innovation Plan. • The policy will meet or exceed the minimum standards of the District and state.
IKE: Promotion, Retention and Acceleration of Students	Graduation and Promotion	<ul style="list-style-type: none"> • The School requests waivers from policy IKE. • The School has the authority to adopt a policy for promoting, retaining, and accelerating students through the education program that aligns with the Innovation Plan. The policy will meet or exceed the minimum standards of the District and state. • Following the District’s process (which is a process that is separate from the process of securing innovation status) described in Appendix C, the school may request the flexibility to adopt its own promotion and graduation policies.
IKE-R: Promotions, Retention and Acceleration of Students Elementary or Middle School Procedures	Graduation and Promotion	<ul style="list-style-type: none"> • The School requests a waiver from policy IKE-R. • The School has the authority to adopt a policy for promoting, retaining, and accelerating students that aligns with the Innovation Plan. The policy will meet or exceed the minimum standards of the District and state. • Following the District’s process (which is a process that is separate from the process of securing innovation status) described in Appendix C, the school may request the flexibility to adopt its own promotion and graduation policies.
JLCD: Administration of Medicines	Students	<ul style="list-style-type: none"> • The School requests a waiver from policy JLCD. • The School will work with the District to develop an alternative policy to administer medicines in such a way as to be more responsive to student and family needs.

APPENDIX E DPS/DCTA COLLECTIVE BARGAINING AGREEMENT WAIVERS

Agreement Articles Waived	Area of Impact	Replacement Policy or Practice
Article 1-2 Definition of Teacher	Human Resource Management: Hiring and Job Descriptions	<ul style="list-style-type: none"> • The School requests waivers from Article 1-2. • The School has the authority to create a broader definition of a teacher that aligns with the Innovation Plan.
Grievance (Article 7): Establish Dispute Resolution Procedures	Human Resource Management: Dispute Resolution	<ul style="list-style-type: none"> • The School requests waivers from Article 7. • The School will develop a dispute resolution process that permits association representation of faculty members and an avenue to appeal to the Superintendent’s designee. • Disputes between faculty members and the District may be brought directly to the Superintendent’s designee. The faculty member is entitled to representation by the Association.
Professional Standards (Article 8): Sets Teacher Calendar, Work Year, Work Week, Work Day, Class Size and Teaching Load	<ul style="list-style-type: none"> • Calendar & Schedule • Human Resource Management: Staff Assignments • Human Resource Management: Teaching Load • Human Resource Management: Leadership Structure 	<ul style="list-style-type: none"> • The School requests waivers from Article 8. • The School has the authority to establish its own calendar and daily schedule, provided it meets or exceeds minimum statutory standards. • The School has the authority to establish class sizes and teaching loads that support the Innovation Plan. • The School has the authority to establish any necessary committees, which may include replacing the Professional Standards Committee, that support the Innovation Plan. As described in the Innovation Plan, a Student Engagement Team will replace the Professional Standards Committee.

<p>Committees (Articles 5, 13, 29): Development Committee (5-4-1) and Personnel Committee (13-8)</p>	<ul style="list-style-type: none"> Governance & Human Resource Management: Leadership Structure 	<ul style="list-style-type: none"> The School requests waivers from Articles 5, 13, and 29. The school has the authority to create committees that align with the Innovation Plan. As described in the Innovation Plan, the School will create a Student Engagement Team.
<p>Teacher Evaluation (Article 10): Describes the Evaluation Process for Teachers</p>	<p>Human Resource Management: Teacher Evaluation</p>	<ul style="list-style-type: none"> The School requests a waiver from Article 10. The School has the authority to create its own evaluation system, provided such system meets the standard provisions of SENATE BILL 10-191. The School has the authority to adopt its own remediation plan to support teachers and the implementation of the Innovation Plan.
<p>Article 11: Complaints Against Teachers/Administrative Leave/Corrective Action</p>	<p>Human Resource Management</p>	<ul style="list-style-type: none"> The School requests waivers from Article 11. The School has the authority to establish policies and procedures on teacher leave and corrective action, which will be outlined in the Employee Handbook.
<p>Assignments, Schedules and Transfer (Article 13): Describes District and School Procedures for Transfer and Reassignment of Teachers</p>	<p>Human Resource Management: Hiring & Staff Assignments</p>	<ul style="list-style-type: none"> The School requests a waiver from Article 13. The School has the authority to hire staff as vacancies become known and/or adopt a hiring schedule that best meets the needs of The School. The School has the authority to implement recruitment and selection policies and procedures that support the Innovation Plan.
<p>Summer school teaching positions (Article 14): Restricts Hiring Process and Moves Decision-Making for Hiring Teachers Offsite (14-1-1-1, 14-1-1-2, 14-1-1-3)</p>	<p>Human Resource Management: Hiring & Staff Assignments</p>	<ul style="list-style-type: none"> The School requests waivers from Articles 14-1-1-1, 14-1-1-2, and 14-1-1-3. The School has the authority to hire teachers for summer programs consistent with its staffing plan as described in the Innovation Plan.

<p>Reduction in Force (RIF) (Article 20): Procedures for Conducting Reduction in Force</p>	<p>Human Resource Management: Staffing</p>	<ul style="list-style-type: none"> • The School requests a waiver from Article 20. • The District cannot RIF School staff members. Decisions regarding reductions in teaching staff will be determined by the school’s leadership and be made in accordance with School policies and the Employee Handbook.
<p>Article 21 Short Leaves of Absence</p>	<p>Human Resource Management</p>	<ul style="list-style-type: none"> • The School requests a waiver from Article 21. • The School will partner with staff, Human Resources, the Budget Office, and the Office of School Reform and Innovation to draft and implement of policy for short leave of absence. • The policy will be approved by Human Resources and the Budget Office. • The policy will “grandfather” teachers who are current employees of the District who have accumulated sick leave time. Such employees will be entitled to use that sick leave and also be entitled to payment for any unused accumulated sick leave when they retire • The policy will be outlined in the Employee Handbook.
<p>Job Sharing and Half-Time (Article 25): Procedures for Arranging Job-Sharing Assignments and Half Time</p>	<p>Human Resource Management: Staff Assignments</p>	<ul style="list-style-type: none"> • The School requests a waiver from Article 25. • The School has the authority to make decisions regarding job sharing and half-time employment to support the Innovation Plan.
<p>Compensation for Unused Sick Leave (Article 31-12)</p>	<p>Human Resource Management</p>	<ul style="list-style-type: none"> • The School requests a waiver from Article 31-10. • The School will partner with staff, Human Resources, the Budget Office, and the Office of School Reform and Innovation to draft and implement of policy for short leave of absence. • The policy will be approved by Human Resources and the Budget Office. • The policy will “grandfather” teachers who are current employees of the District who have accumulated sick leave time. Such employees will be entitled to use that sick leave and also be entitled to payment for any unused accumulated sick leave when they retire • The policy will be outlined in the Employee Handbook.

Extra Duty Comp. (Article 32.): Sets Rates for Extra Duty Compensation	Human Resource Management: Compensation	<ul style="list-style-type: none"> • The School requests waivers from Article 32. • The School has the authority to determine its own compensation structure for additional work. Compensation will be agreed upon and communicated in advance. • The School has the authority to establish its own compensation system for all employees. The School will meet or exceed the rates of pay set in the DPS/DCTA Collective Bargaining Agreement, including ProComp.
MOU dated April 8, 2011: LEAP Implementation	Human Resource Management: Teacher Evaluations	<ul style="list-style-type: none"> • The School has the authority to determine the implementation of LEAP beginning in the 2011-2012 school year.

APPENDIX E STATUTORY WAIVERS		
State Statute	Area of Operational Impact	Replacement Policy or Practice
Section 22-9-106: Local Board Duties Concerning Performance Evaluations for Licensed Personnel	Human Resource Management: Teacher Evaluations	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-9-106. • The School's evaluation system will meet or exceed the minimum standards of SENATE BILL 10-191. • The school will have the authority to adapt LEAP or adopt an alternative evaluation system, provided such system meets the standards of SENATE BILL 10-191 and is approved by the District. • The School will have the authority to designate personnel who do not have administrative licenses to conduct teacher evaluations.
Section 22-32-109(1)(f): Local Board Duties Concerning Selection of Personnel and Pay	Human Resource Management: Staff Hiring, Compensation	<ul style="list-style-type: none"> • The School requests a waiver from 22-32-109(1) (f). • The School has the authority to select staff and set rates of pay (interacts with 22-63-201 and 22-63-206). • The School has the authority to select teaching staff directly and set rates of pay based on School policies. The School will meet or exceed the rates of pay set in the DPS/DCTA Collective Bargaining Agreement, including ProComp.

Section 22-32-109(1)(g): Handling of Money	Budget	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-32-109(1) (g). • The School has the authority to manage its receipt of money and will meet performance expectations provided by the District. • The District may conduct an annual audit and require the School to provide quarterly trial balances to the Office of Budget.
Section 22-32-109(1)(n)(l): Schedule and Calendar	Calendar & Schedule	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-32-109(1)(n)(L). • The School has the authority to determine its own annual calendar and daily schedule, provided it meets or exceeds minimum statutory requirements. • School has the authority to determine the number of professional development days, days off, and late starts/early release days.
Section 22-32-109 (1)(n)(II)(A): Actual Hours of Teacher-Pupil Instruction and Contact	Calendar & Schedule	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-32-109(1)(n)(II)(A). • The School has the authority to determine teacher pupil contact, which will meet or exceed the minimum standards of the District and state.
Section 22-32-109 (1)(n)(II)(B): School Calendar	Calendar & Schedule	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-32-109(1)(n)(II)(B). • The School has the authority to create its own annual calendar. • The School’s annual calendar will meet or exceed the minimum standards for the District and state.
Section 22-32-109(1)(cc): Adopt Dress Code for Employees	Human Resource Management: Dress Code	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-32-109(1)(cc). • The School has the authority to establish a dress code for all employees that will be described in the Employee Handbook.
Section 22-32-109(1)(jj): Identify Areas in which the Principal/s Require Training or Development	Human Resource Management: Professional Development	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-32-109(1)(jj). • The School has the authority to design and implement its own principal development program.. • The School may select to participate in District professional development programs.

Section 22-32-110(1)(h), C.R.S.: Local Board Powers Concerning Employment Termination of School Personnel	Human Resource Management: Staff Dismissals	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-32-110(1)(h). • The School has the authority to discharge employees according to its personnel policies.. • The School may seek the support of District Human Resources and Legal Department when dismissing a staff member.
Teacher Employment, Compensation and Dismissal Act of 1990 Section 22-63- 201: Employment-License Required-Exception	Human Resource Management: Hiring and Teacher Qualifications	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-63-201. • School will comply with federal laws regarding teacher qualifications, including NCLB requirements that all core content teachers meet highly qualified requirements. • The School has the authority to identify employees as administrators.
Teacher Employment, Compensation and Dismissal Act of 1990 Section 22-63-202, C.R.S.: Contracts in Writing Duration Damage Provision	Human Resource Management: Hiring, Contracts and Employment Offer Letters	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-63-202. • The School has the authority issue its own employment offer letters. The School’s employment offer letter will outline the terms of employment.
Teacher Employment, Compensation and Dismissal Act of 1990 Section 22-63-203, C.R.S.: Probationary Teachers – Renewal and Nonrenewal of Employment Contract	Human Resource Management: Dismissals	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-63-203. • All teachers will have annual contracts. • School has the authority to dismiss any teacher in accordance with the School’s employment terms and personnel policies.
Teacher Employment, Compensation and Dismissal Act of 1990 Section 22-63-206,	Human Resource Management:	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-63-206 • The School is not subject to the transfer of teachers within, into or out of the school by the District; the School’s leadership has the authority to make all decisions regarding transfers within the School.

C.R.S.: Transfer of Teachers – Compensation	Direct Placement of Teachers	
Teacher Employment, Compensation and Dismissal Act of 1990 Section 22-63-301: Grounds for Dismissal	Human Resource Management: Dismissals	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-63-301. • All teachers will have annual contracts. • The School has the authority to establish personnel policies that will be outlined in this Innovation Plan and in the School’s Employee Handbook.
Teacher Employment, Compensation and Dismissal Act of 1990 Section 22-63-302: Procedures for Dismissal of Teachers and Judicial Review	Human Resource Management: Dismissals	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-63-302. • All teachers will have annual contracts. • The School has the authority to establish personnel policies that will be outlined in this Innovation Plan and in the School’s Employee Handbook.
Teacher Employment, Compensation and Dismissal Act of 1990 Section 22-63-401: Teachers Subject to Adopted Salary Schedule	Human Resource Management: Compensation	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-63-401. • The School has the authority to determine its own compensation system for all employees, including adjunct faculty. The School will meet or exceed the rates of pay set in the DPS/DCTA Collective Bargaining Agreement, including ProComp.
Teacher Employment, Compensation and Dismissal Act of 1990 Section 22-63-402: License, Authorization of Residency Required in Order to Pay Teachers	Human Resource Management: Compensation	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-63-402. • The School has the authority to establish a policy that waives the provision that requires teachers to hold licenses in order to be paid. • The School has the authority to adopt policies and procedures to ensure that background checks are completed for all personnel. • The School has the authority to determine its own compensation system for all employees, including instructional staff. The School will meet or exceed the rates of pay set in the DPS/DCTA Collective Bargaining Agreement, including ProComp.

<p>Teacher Employment, Compensation and Dismissal Act of 1990 Section 22-63- 403: Payment of Salaries</p>	<p>Human Resource Management: Compensation</p>	<ul style="list-style-type: none"> • The School requests a waiver from Section 22-63-403. • The School has the authority to establish dismissal policies and procedures, including any applicable compensation. Such policies and procedures will be outlined the Employee Handbook.
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