

Waiver Matrix Called for by the Martin Luther King, Jr. Early College Innovation Plan

<b>Analysis of Statutory Considerations Called for by the Early College Innovation Plan</b>			
<b>State Statute</b>	<b>Description</b>	<b>Action Called for by Innovation Plan</b>	<b>Replacement Policy or Practice</b>
Section 22-32-109 (l) (f)	Local board duties concerning selection of personnel and pay	Delegate authority to the school to select staff and set rates of pay	School will select teaching staff directly and set rates of pay based on school policy. School policy is in innovation plan.
<b>Section 22-32-109(1)(g)</b>	handling of moneys	Delegate authority to the school to manage its receipt of money	School will manage its receipt of money according to district procedure and subject to direct district in the form of an annual audit, and quarterly trial balances to the Office of Budget.
<b>Section 22-32-109(1)(n)</b>	schedule and calendar	Delegate authority to the school to establish schedule and calendar	School will exceed statutory minimums for calendar, hours of teacher pupil contact and schedule, subject to district oversight based on the School Performance Framework.
<b>Section 22-32-109(II)(A)</b>	actual hours of teacher-pupil instruction and contact		
<b>Section 22-32-109(II)(B)</b>	school calendar		
<b>Section 22-32-109(aa) and Sec 22-32-109 (t)</b>	adopt content standards and plan for implementation of content standards  determine educational program and provide textbooks	Delegate authority to the school to establish an educational program and textbooks, and require the school to align its instructional program to state and local standards	School educational program is set in the Innovation Plan. School will be able to adapt its instructional program in alignment with state and local standards, subject to district oversight based on the School Performance Framework.
<b>Section 22-63-206, C.R.S</b>	Teacher Employment, Compensation and Dismissal Act of 1990; Transfer of teachers – compensation;	Waives the chief administrative officer the ability to transfer teachers within, into or out of the school; empowers the principal to make all transfers within the school	District will no longer make direct placement of teachers to the school, or direct placement within schools.
<b>Section 22-63-401</b>	Teacher Employment, Compensation and Dismissal Act of 1990: Teachers subject to adopted salary schedule;	The board delegates to the school the authority to set its own compensation system; the school proposes that it may need to pay people above and beyond the DCTA/DPS contract	School will adopt a consistent policy compensate teachers using the DPS/DCTA Agreement and ProComp as the minimum expectation for teacher compensation. The School will adopt a consistent policy for staff not covered by an existing DPS classification.
<b>Section 22-63-403</b>	Teacher Employment, Compensation and Dismissal Act of 1990: Payment of salaries	Delegates to the school the authority to pay their pro rata share of their compensation up to the point that they are dismissed.	School will adopt a policy for fair compensation of staff upon dismissal.
<b>Section 22-63-202</b>	Teacher Employment, Compensation and Dismissal Act of 1990: contracts in writing duration damage	Delegates the authority to the school to issue its own employment contracts; the school will adapt the DPS employment contract to offer specialized	School will adapt DPS employment contract to comply with terms of Innovation Plan.

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	provision;		
<b>Section 22-63-302</b>	Teacher Employment, Compensation and Dismissal Act of 1990: Procedures for dismissal of teachers and judicial review;	Delegates to the school the authority to follow statutory procedure with its current tenured teachers according to the statute, and is waived in the case of any newly hired teachers.	School will comply with state law in the case of teachers hired before May 1, 2010. After May 1, 2010 school will hire teachers as at will employees.
<b>Section 22-63-301</b>	Teacher Employment, Compensation and Dismissal Act of 1990: Grounds for dismissal;	Delegates to the school the authority to dismiss its current tenured teachers according to the statute, and is waived in the case of any newly hired teachers. Interacts with Section 22-32-109(1)(f).	School will comply with state law when recommending dismissal of tenured teachers, when applicable under the Innovation Plan.
<b>Section 22-63-203</b>	Teach Employment, Compensation and Dismissal Act of 1990: Probationary teachers – renewal and nonrenewal of employment contract;	Delegates the authority to the school to terminate probationary employees.	School will dismiss probationary teachers in accordance with statute when applicable.
<b>Section 22-32-110 (1) (h)</b>	local board powers concerning employment termination of school personnel;	Delegates to the school the ability to discharge employees; the school will have be responsible for complying with statutory due process expectations when applicable.	School has the authority to prosecute tenure dismissal cases on its own; may seek the support of the Legal Department when prosecuting tenure dismissal cases.
<b>Section 22-9-106</b>	Teacher Employment Compensation and Dismissal Act of 1990: local board duties concerning performance evaluations for licensed personnel	The school will have the authority to conduct teacher evaluations. The school will fulfill the requirements of state law in conducting teacher evaluations.	The school will develop teacher evaluations in collaboration with the SGB