

**SUMMIT ACADEMY
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 a waiver from policy BDFH. • As described in the Innovation Plan, the School’s Collaborative School Committee will be replaced by a School Governance Board 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 a waiver from policy CFBA. • The school will implement the District’s teacher evaluation system (LEAP) as described in the Innovation Plan. Working in partnership with the District, 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 a waiver 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 a waiver 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 a waiver 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)	Human Resource Management: Dress Code	<ul style="list-style-type: none"> • The School requests a waiver 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.

Procedure		
GBEBB: Dress Code for Non Teaching Staff	Human Resource Management: Dress Code	<ul style="list-style-type: none"> • The School requests a waiver from policy GBEBB. • The School has the authority to establish its own policy for staff dress and grooming for administrators, 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 a waiver from policy GCB. • Working in partnership with the District’s Human Resources Department, the School has the authority to issue its own employment offer letters for teachers and administrators. The School’s offer letter will outline the terms of employment. • The School has the authority to establish its own compensation system for teachers and administrators. 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.
GCF: Professional Staff Hiring	Human Resource Management: Hiring	<ul style="list-style-type: none"> • The School requests a waiver from policy GCF. • School has the authority to develop and implement its own policies and procedures for hiring teachers and administrators, including creating a hiring schedule that best meets the needs of the School. • Working in partnership with the District’s Human Resources Department, the School has the authority to adopt policies and procedures to ensure that background checks are completed for teachers and administrators.
GCF-2 : Professional Staff Hiring (Athletic Coaches)	Human Resource Management: Hiring	<ul style="list-style-type: none"> • The School requests a waiver 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 a waiver from policy GCID. • The School has the authority to develop and implement its own professional development program that supports the Innovation Plan. • The School retains the option to participate in any professional development programs offered by the District.
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 a waiver from policy GDK. • The School has the authority to develop its own annual calendar and daily schedule for administrators 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.
IEA: Alternative Grade Level Organization in Neighborhood Schools (K-8 Policies)	Education Program	<ul style="list-style-type: none"> • The School requests waivers from policy IEA. • The School has the authority to adopt a grade level configuration that aligns with the Innovation Plan.
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.

		<ul style="list-style-type: none"> • 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.
IKF: Graduation Requirements	Graduation and Promotion	<ul style="list-style-type: none"> • The School requests a waiver from policy IKF. • 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.

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 a waiver 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"> • For teachers who begin employment subsequent to June 1, 2011, the School requests a waiver from Article 7 • The School will develop a dispute resolution process that permits association representation of such teachers (as noted above) and Special Service Providers and an avenue to appeal to the Superintendent’s designee. • Disputes between faculty members, Special Service Providers and the District may be brought directly to the Superintendent’s designee. The faculty member or Special Service Provider 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: 	<ul style="list-style-type: none"> • The School requests a waiver from Article 8. • The School has the authority to establish its own calendar and daily schedule, provided it meets or exceeds minimum statutory and District standards. • Working in partnership with the District, 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, the School Governance Board will replace the Professional Standards Committee.

	Leadership Structure	
Committees (Articles 5, 13, 29): Development Committee (5-4-1) and Personnel Committee (13-8)	<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 School Governance Board.
Teacher Evaluation (Article 10): Describes the Evaluation Process for Teachers	Human Resource Management: Teacher Evaluation	<ul style="list-style-type: none"> The School requests a waiver from Article 10. The school will implement the District’s evaluation system (LEAP) as described in this Innovation Plan. The School has the authority to adopt its own remediation plan to support teachers and the implementation of the Innovation Plan.
Article 11: Complaints Against Teachers/Administrative Leave/Corrective Action	Human Resource Management	<ul style="list-style-type: none"> For teachers who begin employment subsequent to June 1, 2011, the School requests waivers from Article 11. The School has the authority to establish policies and procedures for such teachers (as noted above) on leave and corrective action, which will be outlined in the Employee Handbook.
Assignments, Schedules and Transfer (Article 13): Describes District and School Procedures for Transfer and Reassignment of Teachers	Human Resource Management: Hiring & Staff Assignments	<ul style="list-style-type: none"> The School requests a waiver from Article 13. The School has the authority to hire teachers and Special Service Providers 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.
Summer school teaching positions (Article 14): Restricts Hiring Process and Moves Decision-Making for Hiring Teachers Offsite (14-1-	Human Resource Management: Hiring & Staff Assignments	<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.

1-1, 14-1-1-2, 14-1-1-3)		
Reduction in Force (RIF) (Article 20): Procedures for Conducting Reduction in Force	Human Resource Management: Staffing	<ul style="list-style-type: none"> • The School requests a waiver from Article 20. • The District cannot RIF School teachers or Special Service Providers. 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.
Job Sharing and Half-Time (Article 25): Procedures for Arranging Job-Sharing Assignments and Half Time	Human Resource Management: Staff Assignments	<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.
Extra Duty Comp. (Article 32.): Sets Rates for Extra Duty Compensation	Human Resource Management: Compensation	<ul style="list-style-type: none"> • The School requests a waiver from Article 32. • The School has the authority to establish its own compensation structure for teachers and Special Service Providers. The School will meet or exceed the rates of pay set in the DPS/DCTA Collective Bargaining Agreement, including ProComp. • Compensation will be agreed upon with teachers and be communicated in advance.
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 will implement the District’s evaluation system (LEAP) as described in the Innovation Plan, provided the system does not infringe upon the School’s employment and remediation terms and conditions. • Any modification to LEAP or alternative evaluation system used by the School will be approved by the District and will be meet the criteria of SB 191.
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 and set rates of pay for teachers and administrators (interacts with 22-63-201 and 22-63-206).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 for

		teachers and administrators.
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 teachers and administrators 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"> • For teachers and administrators who begin employment subsequent to June 1, 2011, the School requests a waiver from Section 22-32-110(1)(h). • The School has the authority to discharge teachers and administrators as described in this Innovation Plan and as outlined in the Employee Handbook. • The School may seek the support of District Human Resources and Legal Department when dismissing a staff member.
Teacher Employment,	Human Resource	<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,

Compensation and Dismissal Act of 1990 Section 22-63-201: Employment-License Required-Exception	Management: Hiring and Teacher Qualifications	including NCLB requirements that all core content teachers meet highly qualified requirements. <ul style="list-style-type: none"> 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"> For teachers who begin employment subsequent to June 1, 2011, the School requests a waiver from Section 22-63-202. Working in partnership with the District’s Human Resources department, 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"> For teachers who begin employment subsequent to June 1, 2011the School requests a waiver from Section 22-63-203. Such teachers will be considered at-will employees. School has the authority to dismiss such teachers in accordance with the School’s employment terms and personnel policies as outlined in the Employee Handbook.
Teacher Employment, Compensation and Dismissal Act of 1990 Section 22-63-206, C.R.S.: Transfer of Teachers – Compensation	Human Resource Management: Direct Placement of Teachers	<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.
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"> For teachers who begin employment subsequent to June 1, 2011, the School requests a waiver from Section 22-63-301. Such teachers are at-will employees. The School has the authority to establish personnel policies for such teachers in accordance with the School’s employment terms and personnel policies as outlined in the Employee Handbook.
Teacher Employment, Compensation and Dismissal	Human Resource Management:	<ul style="list-style-type: none"> For teachers who begin employment subsequent to June 1, 2011, the School requests a waiver from Section 22-63-302.

<p>Act of 1990 Section 22-63-302: Procedures for Dismissal of Teachers and Judicial Review</p>	<p>Dismissals</p>	<ul style="list-style-type: none"> • Such teachers are at-will employees. • The School has the authority to establish personnel policies for such teachers in accordance with the School’s employment terms and personnel policies as outlined in the Employee Handbook.
<p>Teacher Employment, Compensation and Dismissal Act of 1990 Section 22-63-401: Teachers Subject to Adopted Salary Schedule</p>	<p>Human Resource Management: Compensation</p>	<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 teachers and administrators, including adjunct faculty. 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 22-63-402: License, Authorization of Residency Required in Order to Pay Teachers</p>	<p>Human Resource Management: Compensation</p>	<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. • School will comply with federal laws regarding teacher qualifications, including NCLB requirements that all core content teachers meet highly qualified requirements. • In working in partnership with the District’s Human Resources Department, the School will 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 teachers and administrators. 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"> • For teachers who begin employment subsequent to June 1, 2011, the School requests a waiver from Section 22-63-403. • The School has the authority to establish dismissal policies and procedures for such teachers, including any applicable compensation. Such policies and procedures will be outlined the Employee Handbook.