APPENDIX C
Academy 360

Requested State Statute Waivers

The Network hereby invokes waivers of the following sections of the Colorado Revised Statutes; replacement policies are available for review by contacting the Network.

Automatic State Waivers

- 22-32-109(1)(b), C.R.S. Local board duties concerning competitive bidding
- 22-32-109 (1)(l), C.R.S. Local board duties concerning selection of personnel and pay
- 22-32-109(1)(t), C.R.S. Determine educational program and prescribe textbooks
- 22-32-110 (1)(h), C.R.S. Local board powers concerning employment termination of school personnel
- 22-32-110(1)(i), C.R.S. Local board duties-Reimburse employees for expenses
- 22-32-110(1)(j), C.R.S. Local board powers-Procure life, health, or accident insurance
- 22-32-110(1)(k), C.R.S. Local board powers-Policies relating the in-service training and official conduct
- 22-32-110(1)(y), C.R.S. Local board powers-Accepting gifts, donations, and grants
- 22-32-110(1)(ee), C.R.S. Local board powers-Employ teachers' aides and other non-certificated personnel
- 22-32-126, C.R.S. Employment and authority of principals
- 22-33-104(4), C.R.S. Compulsory school attendance-Attendance policies and excused absences
- 22-63-301, C.R.S. Teacher employment, compensation and dismissal act of 1990; grounds for dismissal
- 22-63-302, C.R.S. Teacher employment, compensation and dismissal act of 1990; procedures for dismissal of teachers and judicial review
- 22-63-401, C.R.S. Teacher employment, compensation and dismissal act of 1990; teachers subject to adopted salary schedule
- 22-63-402, C.R.S. Teacher employment, compensation and dismissal act of 1990; license, authorization or residency required in order to pay teachers
- 22-63-403, C.R.S. Teacher employment, compensation and dismissal act of 1990; payment of salaries
- 22-1-112, C.R.S. School Year- National Holidays

Non-Automatic State Waivers:

The school requests the following non-automatic state waivers:
- 22-9-106, C.R.S. Local Board of Education-Duties-Performance Evaluation System
- 22-2-112(1)(q)(l), C.R.S. Commissioner-Duties
- 22-32-109(1)(n)(I), C.R.S. Board of Education- Specific Duties School Calendar  
- 22-32-109(1)(n)(II)(B), C.R.S. Board of Education-Specific Duties Adoption of District Calendar  
- 22-32-109(1)(n)(II)(A), C.R.S. Determine teacher-pupil contact hours  
- 22-63-202, C.R.S. Teacher employment. contracts in writing-duration-damage provision  
- 22-63-203, C.R.S. Probationary Teachers -renewal and non-renewal of employment contract  
- 22-63-206, C.R.S. Teacher Employment. Compensation and Dismissal Act  
- 22-7-1014(2)(a), C.R.S. Preschool Individualized Readiness Plans – School readiness – Assessments

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<tr>
<th>Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan</th>
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<tr>
<td><strong>Statutory Citation and Title</strong></td>
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<tr>
<td>C.R.S. § 22-9-106 Local Board of Education-Duties-Performance Evaluation System</td>
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<tr>
<td>C.R.S. § 22-2-112(1)(q)(l) Commissioner-Duties</td>
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<td><strong>Rationale:</strong> The school leader of Academy 360 must have the ability to perform the evaluation of all personnel. Should any other designated administrator not have a Type D certificate, this should not preclude him or her from administering the evaluations under the direction of the head of school. The BOD must also have the ability to perform the evaluation for the school leader. Additionally, Academy 360 should not be required to report their teacher evaluation ratings as a part of the commissioner’s report as required by C.R.S. 22-2-112(1)(q)(l).</td>
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<td><strong>Replacement Plan:</strong> Academy 360 uses its own evaluation system as agreed to in the Charter School Agreement with Denver Public Schools and therefore should not be required to report their teacher evaluation data. Academy 360’s evaluation system will continue to meet the intent of the law as outlined in statute. The methods used for Academy 360’s evaluation system includes quality standards that are clear and relevant to the administrators’ and teachers’ roles and responsibilities, and have the goal of improving student academic growth, and meet the intent of the quality standards established in SB 10-191. All evaluators will receive training in their school’s evaluation system. In addition, the evaluation data is used to inform professional development decisions for each teacher. Core course level participation will continue to be reported PURSUANT TO C.R.S. 22-11-503.5, as this is a non-waivable statute.</td>
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<td><strong>Duration of Waivers:</strong> The duration of the contract.</td>
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<td><strong>Financial Impact:</strong> The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school.</td>
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<td><strong>How the Impact of the Waivers Will be Evaluated:</strong> Since teacher performance has a critical impact on the performance of the entire school, the impact of this waiver will be measured by the same performance criteria and assessments that apply to the school, as set forth in this Charter School Agreement.</td>
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Expected Outcome: With this waiver, the school will be able to implement its program and evaluate its teachers in accordance with its Performance Appraisal System, which is designed to produce greater accountability and be consistent with the school’s goals and objectives. This will benefit staff members as well as students and the community.

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan

Statutory Citation and Title
C.R.S. §22-32-109(1)(n)(I) Board of Education- Specific Duties School Calendar
C.R.S. §22-32-109(1)(n)(II)(B) Board of Education-Specific Duties Adoption of District Calendar

Rationale: The school year at Academy 360 will total approximately 170 per year, which exceeds the current requirement in state statute. Academy 360 will prescribe the actual details of its own school calendar to best meet the needs of its students. The local board will not set these policies and Academy 360 will have a calendar that differs from the rest of the schools within the district.

Replacement Plan: The final calendar and the school’s daily schedule will be designed by Academy 360 and will meet or exceed the expectations in state statute.

Duration of Waivers: The duration of the contract.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school.

How the Impact of the Waivers Will be Evaluated: The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to the school, as per this Charter School Agreement.

Expected Outcome: As a result of these waivers, the school will be able to implement the necessary policies to increase student achievement.

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan

Statutory Citation and Title: C.R.S. 22-32-109(1)(n)(II)(A) Determine teacher-pupil contact hours

Rationale: Academy 360 should have the ability to determine teacher-pupil contact hours, while not reducing the total contact hours to below the minimum (1056) required by state statute. Academy 360 will determine the actual details of teacher-pupil contact hours to best meet the needs of its students. The local board will not set these policies, and Academy 360 may specify teacher-pupil contact hours that differ from other schools in the district.

Replacement Plan: Academy 360 will determine teacher-pupil contact hours in accordance with its final daily schedule and calendar. The total number of teacher-pupil contact hours will meet or exceed the expectations in state statute.

Duration of Waivers: The duration of the contract.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school.
How the Impact of the Waivers Will be Evaluated: The impact of this waiver will be measured by the performance appraisal criteria and assessments that apply to the school, as per this Charter School Agreement.

Expected Outcome: As a result of this waiver, the school will be able to implement the necessary policies to increase student achievement.

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan

Statutory Citation and Title
C.R.S. § 22-63-201 Employment. Certificate required
C.R.S. § 22-63-202 Teacher employment, contracts in writing-duration-damage provision

Rationale: Academy 360 should be granted the authority to hire teachers and principals that will support the school's goals and objectives. The school leader will not function as a traditional district school principal, but rather will be responsible for a wider range of tasks and act as the school's chief executive officer. The school will seek to attract school leaders and teachers from a wide variety of backgrounds, including, but not limited to teachers from out-of-state, teachers with a lapsed Colorado certificate, persons with several years of successful teaching experience in a setting not requiring a license, as well as persons with business or professional experience. All employees of Academy 360 will be employed on an at-will basis. All employees of Academy 360 will meet Federal Highly Qualified Requirements (i.e.: hold a degree and demonstrated subject-matter competency).

Replacement Plan: The school will, as appropriate, hire certified teachers and principals. However, in some instances it may be advantageous for the school to be able to hire Highly Qualified teachers and/or administrators without a certificate and who possess unique background and/or skills that fill the need of Academy 360.

Duration of Waivers: The duration of the contract.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school.

How the Impact of the Waivers Will be Evaluated: The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to the school, as per this Charter School Agreement.

Expected Outcome: As a result of these waivers, the school will be able to employ professional staff possessing unique skills and/or background filling all staff needs.

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan

Statutory Citation and Title:
C.R.S. § 22-63-203 Probationary Teachers - renewal and non-renewal of employment contract

Rationale: Academy 360 should be granted the authority to develop its own employment agreements and terms and conditions of employment. The school will be operating differently from other schools with a unique curriculum for which having the proper teaching staff is
essential. Not every teacher who is successful in the regular public school will be successful at Academy 360. All employees of the school will be employed on an at-will basis.

**Replacement Plan:** Academy 360 has teacher agreement with the terms of non-renewal and renewal of employment agreements, and payment of salaries upon termination of employment of a teacher.

**Duration of Waivers:** The duration of the contract.

**Financial Impact:** The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school.

**How the impact of the Waivers Will be Evaluated:** The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to the school, as per this Charter School Agreement.

**Expected Outcome:** As a result of these waivers, the school will be able to employ professional staff possessing unique skills and/or background, filling all staff needs.

### Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan

**Statutory Citation and Title:**
C.R.S. § 22-63-206 Teacher Employment, Compensation and Dismissal Act

**Rationale:** Academy 360 is granted the authority under the Charter School Agreement to select its own teachers. No other school or the Denver Public Schools should not have the authority to transfer its teachers into Academy 360 or transfer teachers from Academy 360 to any other schools, except as provided for in the Charter School Agreement.

**Replacement Plan:** Academy 360 will hire teachers on a best-qualified basis. There is no provision for transfers.

**Duration of Waivers:** The duration of the contract.

**Financial Impact:** The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school.

**How the Impact of the Waivers Will be Evaluated:** The impact of this waiver will be measured by the performance criteria and assessments that apply to the school, as set forth in this Charter School Agreement.

**Expected Outcome:** The school expects that as a result of this waiver it will be able to manage its own personnel affairs. There is no provision for transfers.

### Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan

**Statutory Citation and Title:** C.R.S § 22-7-1014(2)[a] Preschool Individualized Readiness Plans – School Readiness – Assessments

**Rationale:** Academy 360 Charter School should have the authority to implement relevant curriculum and assessments that ensure students success in higher learning. The domains of physical well-being, motor development, social-emotional development, language and comprehension development; and cognition and general knowledge are assessed daily due to the present curriculum and assessments. Support is readily available through numerous avenues based throughout the program.
Replacement Plan:

C.R.S § 22-7-1014(2)(a) Preschool Individualized Readiness Plans – School readiness – Assessments requires each district to administer the school readiness assessment to each student. Academy 360 has a full day Kindergarten program (8:00am-3:30pm, 170 school days) utilizing the Common Core/State Standards as well as Engage NY, Singapore Math, Random Acts of Kindness, EL Achieve for language learners, and other well-vetted curricula.

1. Physical well-being and motor development:
   - Physical Education is taught as a Special where a dedicated Physical Education teacher instructs each class 4-5 times per week for 30 minutes. Students are assessed on motor-development skills acquired throughout the year. In addition, students participate in a daily recess period (30 minutes) that encourages gross motor development.
   - Art is integrated into the language arts curriculum through a project-based approach. Development of fine motor skills is achieved through drawing, painting and making objects. Students are assessed on fine motor skills acquired throughout the year.
   - Students utilize technology daily, learning keyboarding and how to manipulate the various functions of the computer. Students are assessed throughout the year.
   - Assessment information is gathered by observation protocols based on appropriate developmental guidelines and State Standards in the area of physical well-being and motor development.

2. Social-emotional development (based on State Standards)
   - Students are instructed in the positive school culture system designed by the school. This includes classroom, cafeteria, recess and hallway expectations. Students are reinforced for the positive behavior they demonstrate.
   - Various classroom positive behavior techniques are implemented, including class points, individual incentives, and consistent behavioral narration. This is to strengthen self-regulation and executive-function that help them pay attention, remember directions and control their behavior.
   - Students are taught social-emotional skills through the Random Acts of Kindness curriculum, BrainWise curriculum, peace circles during crew, and the school wide implementation of Restorative Approaches.
   - Assessment information is gathered by observation protocols by the classroom teacher based on appropriate developmental guidelines and Colorado State Standards.

3. Language and comprehension development (based on State Standards)
   - Our reading program is a scientific, research-based approach. Academy 360 utilizes the Engage New York Reading curriculum for its core literacy program, which includes instruction in language, comprehension, phonological and phonemic awareness and direct phonics instruction. Much of a student’s day is spent doing small guided reading groups, independent reading, online/blended learning literacy
work with iStation, read-alouds, shared reading and writing. We regularly assess children using iStation (diagnostic and monthly progress monitoring). For our most struggling readers, we utilize both Wilsons and LLI for early intervention and to support the development of their literacy skills. From the earliest grades it is our scholars, not our teachers, who are the primary people wrestling with challenging questions derived from diverse texts and using sophisticated language to persuade others of their interpretations. Texts are purchased to ensure cultural responsiveness and allow ample opportunity for children to explore their interests.

- The iStation literacy diagnostic assessment is given at least 5x a year to monitor status and growth of a student’s reading ability. Progress monitoring occurs monthly.
- Academy 360 also utilizes the STEP assessment as an additional literacy measure – assessing students at the beginning and end of the year.
- Any student who is not meet district and state requirements for on grade level reading at any point in the year will be placed on a READ plan, with a plan for interventions as well as frequent progress monitoring.

4. Cognition and general knowledge (based on State Standards)

- Mathematics Instruction - Students receive 60 minutes of math instruction using the Singapore Math and Engage NY curriculum. This curriculum is based on the common core/state standards for math. Assessment is given for each unit. There are also daily exit tickets to monitor progress. Students who fall behind are given additional time in small group or 1:1 sessions with the teacher in the area of need. The NWEA MAPS math assessment is also administered as a diagnostic and quarterly assessment (5x per school year) to track student growth and performance to grade level expectations.
- Science – In addition to emphasis on literacy and math, scholars will receive specialized science instruction at least two times per week. Academy 360 teachers create project-based, application-driven expeditions using the Colorado Common Core Standards.
- History and Geography – Scholars will receive specialized social studies instruction at least two times per week. Social studies is a regularly scheduled part of the student schedule. Academy 360 teachers create project-based, application-driven expeditions using the Colorado Common Core Standards.

Assessments information is gathered from formal curriculum assessments and classroom teacher observations based on appropriate developmental guidelines and State Standards.

Any student not making adequate growth in any of the above areas receives MTSS strategies in small groups or 1:1 instruction. The information analyzed by the MTSS team includes results of formal assessments, informal assessments and developmental checklists. These assessment results are held in our student data trackers.

If students do not respond with adequate growth following this intervention they may be referred to a Physical/Occupational Therapist; Psychologist; Speech/Language Therapist; SPED Teacher; Counselor or Mental Health Therapist for further assessment. These assessment results
are held in Infinite Campus and/or Enrich.

Methods and assessments used are clear and relevant and have the goal of improving student academic growth, and meet the intent of the quality standards established in State Statute 22-7-1014(2)(a).

| **Duration of Waivers**: The duration of the contract. |
| **Financial Impact**: The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school. |
| **How the Impact of the Waivers Will be Evaluated**: The impact of this waiver will be measured by the performance criteria and assessments that apply to Academy 360’s curriculum and the overall program design. |
| **Expected Outcome**: Academy 360 expects that as a result of this waiver, we will be able to continue to provide appropriate assessments and support that ensure student success in higher levels of learning in all academic content areas. |