

Requested Waivers Monument View Montessori Charter School

Pursuant to the Charter Schools Act, Monument View Montessori Charter School (MVM) requests waivers of certain Colorado Revised Statutes listed below. Each statute is identified and the reason for each request given as well as a replacement plan. The waivers will enable the school to better meet its mission, goals and objectives, and implement its education program. Although a replacement plan is identified with each waiver requested, additional replacement policies and refinement of the noted plans will occur prior to the start of school operations. In addition to the following waivers, we are requesting a waiver to all automatic waivers.

State Statute Citation	Description
22-32-109(1)(b), C.R.S.	Local board duties concerning competitive bidding
22-32-109(1)(f), C.R.S.	Local board duties concerning selection of staff 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-Terminate employment of 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)	Compulsory school attendance-Attendance policies and excused absences
22-63-301, C.R.S.	Teacher Employment Act- Grounds for dismissal
22-63-302, C.R.S.	Teacher Employment Act-Procedures for dismissal of teachers
22-63-401, C.R.S.	Teacher Employment Act-Teachers subject to adopted salary schedule
22-63-402, C.R.S.	Teacher Employment Act-Certificate required to pay teachers
22-63-403, C.R.S.	Teacher Employment Act-Describes payment of salaries
22-1-112, C.R.S.	School Year-National Holidays

Montessori View Montessori Charter School Request For Non-Automatic Waivers

C.R.S. § 22-9-106 Local Board of Education – Duties

C.R.S. § 22-2-112(1)(q)(I) - Commissioner – duties

These statutes allow a charter school to implement their own performance evaluations and not to have to report those evaluation ratings

Rationale: The MVM Head of School must have the ability to perform the evaluation of all personnel. Should any other designated administrator not having a Type D certification, this should not preclude him or her from administering the evaluations under the directions of the Head of School. The Board must also have the ability to perform the evaluation for the Head of School. Additionally, MVM 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)(I)

Replacement Plan: MVM uses its own evaluation system as agreed to in the Charter school Agreement with CSI and therefore should not be required to report their teacher evaluation data. MVM's evaluation system will continue to meet the intent of the law as outlined in statute. The methods used for MVM'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. In addition, the evaluation data is used to inform professional development decisions for each teachers. All teachers will be trained in the evaluation system. 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.

Duration of the Waivers: MVM requests that the waiver be for the duration of its Charter.

Financial Impact: None to either CSI or MVM.

How the Impact of the Waivers will be evaluated: 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 MVM, as set forth in this application.

Expected Outcome: With this waiver, MVM will be able to implement its program and evaluate its teachers in a manner that produces a greater accountability to the school. This will benefit staff members as well as students and the community.

C.R.S. § 22-32-109(1)(n)(I) Boards of Education—Specific Duties—Length of Academic Session

C.R.S. § 22-32-109(1)(n)(II)(A) – Teacher-Pupil Contact Hours

C.R.S. § 22-32-109(1)(n)(II)(B) – Adoption of District Calendar

This provision grants the local board of education authority to determine the length of time during which the schools of the district must be in session during the following school year.

Rationale for Waiver: The Charter School Institute Board has granted to the Board of Directors of MVM the authority to determine the length of time during which the school will be in session.

Replacement Plan: MVM will be responsible for establishing a school calendar that complies with the statutory minimum requirements for planned teacher-pupil instruction and teacher-pupil

contact during the school year.

Duration of the Waiver: MVM requests that the waiver be for the duration of its contract with the Charter School Institute Board.

Financial Impact: None to either CSI or MVM.

How the Impact of the Waiver Will be Evaluated: The impact of the waivers will be measured by the same performance criteria and assessments that apply to MVM, as set forth in this Charter School Agreement.

Expected Outcome: MVM expects that as a result of this waiver it will be able to implement its curriculum and schedule in a manner that ensures students meet the educational standards of the school.

C.R.S. § 22-32-119 Kindergartens

Permits Board of Education to establish and maintain Kindergarten and prescribe courses of training, study, discipline and rules and regulations governing the program.

Rationale: MVM will operate its own Kindergarten program in accordance with the application. MVM should be authorized to develop, adopt and implement the training, study, discipline and rules and regulations governing its Kindergarten program, subject to the limitations in the application and the Contract.

Replacement Plan: MVM will provide its own curriculum for Kindergarten students.

Duration of the Waivers: MVM requests that the waiver be granted for the duration of its Charter.

Financial Impact: None to either CSI or MVM.

How the Impact of the Waivers will be evaluated: The impact of the waivers will be measured by the same performance criteria and assessments that apply to the school, as set forth in the application.

Expected Outcome: MVM expects that as a result of this waiver it will be able to operate its Kindergarten program to the benefit of the students, teachers and community.

C.R.S. § 22-63-103(10) Teacher Employment, Compensation, and Dismissal – Definitions – Substitute Teacher

This section describes a substitute teacher and the qualifications of such.

Rationale: Developing and maintaining a qualified pool of substitute teachers can be challenging for a Montessori charter school since the expectations vary from those of traditional public schools.

Replacement Plan: The Director shall have the authority to select part-time and substitute teachers.

Duration of the Waiver: MVM requests that the waiver be for the duration of its Charter.

How the Impact of the Waivers will be evaluated: The impact of the waiver will be measured by the same performance criteria and assessments that apply to MVM, as set forth in this application.

Expected Outcome: As a result of this waiver, MVM will be able to employ part-time and substitute teachers possessing unique skills and/or background necessary for the smooth operation of the school.

C.R.S. § 22-63-201 Employment – License Required

This provision prohibits board from entering into an employment contract with a person who does not hold a teacher’s certificate or letter of authorization.

Rationale: MVM will be responsible for its own personnel matters, including selecting the hiring criteria for and employing its own staff. The success of this school will depend in large part upon its ability to select and employ its own staff in accordance with this Charter School Agreement and the goals and objectives of the school.

Replacement Plan: MVM will hire Highly Qualified staff, as required by federal law, who may or may not possess current Colorado teaching licenses.

Duration of the Waiver: MVM requests that the waiver be for the duration of its contract with the Charter School Institute Board.

Financial Impact: MVM anticipates that the requested waivers will have no financial impact upon the Charter School Institute. The school must operate within its budget and the cost of employing staff has been included in that budget.

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

Expected Outcome: As a result of this waiver, MVM will select and employ teachers and staff, in accordance with the terms and conditions set by the Charter School Agreement.

C.R.S. § 22-63-202 Employment Contracts—Duration

This provision prescribes specific elements of the annual term or non-probationary teacher contracts used by districts.

Rationale: MVM will be responsible for its own personnel matters, including selecting, hiring, and terminating its own staff. The success of this school will depend in large part upon its ability to employ its own staff in accordance with this Charter School Agreement and the goals and objectives of the school.

Replacement Plan: MVM will use its own form of employment agreement or contract, reflecting “at will” employment practices.

Duration of the Waiver: MVM requests that the waiver be for the duration of its contract with the Charter School Institute Board.

Financial Impact: MVM anticipates that the requested waivers will have no financial impact upon the Charter School Institute. The school must operate within its budget and the cost of employing staff has been included in that budget.

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

Expected Outcome: As a result of this waiver, MVM will select and employ teachers and staff, in accordance with the terms and conditions set by the Charter School Agreement.

C.R.S. § 22-63-203 Probationary Teachers –Renewal and Non-renewal of Employment Contract

This section establishes specific requirements for the employment of probationary teachers and the renewal or not, of their contracts.

Rationale: MVM will be responsible for its own personnel matters, including selecting, hiring, and terminating its own staff. The success of this school will depend in large part upon its ability to employ its own staff in accordance with this Charter School Agreement and the goals and objectives of the school.

Replacement Plan: MVM will use its own form of employment agreement or contract, reflecting “at will” employment practices, rather than annual term contracts.

Duration of the Waiver: MVM requests that the waiver be for the duration of its contract with the Charter School Institute Board.

Financial Impact: MVM anticipates that the requested waivers will have no financial impact upon the Charter School Institute. The school must operate within its budget and the cost of employing staff has been included in that budget.

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

C.R.S. § 22-63-204 Interest Prohibited

Receiving moneys from the sale of goods.

Rationale: Because MVM has a unique program, it is essential that the school be granted the latitude to raise money through grants and fundraising and to spend such funds to accomplish its educational objectives. MVM staff needs to be allowed to accept pay for sale of goods to accomplish education objectives.

Replacement Plan: The MVM Board will establish policy for receiving gifts, donations , and grants and will monitor expenditures against instructional objectives.

Duration of the Waivers: MVM requests that the waiver be for the duration of its Charter.

Financial Impact: None to either CSI or MVM.

How the Impact of the Waivers will be evaluated: The impact of the waivers will be measured by the same performance criteria and assessments that apply to the school, as set forth in the application.

Expected Outcome: As a result of the waiver, the MVM Board will have the latitude to expend funds as needed and will be able to act more quickly while maintaining accountability.

C.R.S. § 22-63-206 Transfer - Compensation

Permits transfer of teachers between schools upon recommendation of the District's chief administrative officer.

Rationale: MVM is granted the authority under the Charter School Agreement to select its own teachers. CSI should not have the authority to transfer its teachers into MVM or transfer teachers from MVM to district schools.

Plan: MVM will make staff assignments based on its needs and educational goals. No staff will be assigned to positions for which they are not qualified.

Duration of the Waivers: MVM requests that the waiver be for the duration of its Charter.

Financial Impact: None on either CSI or MVM.

How the Impact of the Waiver will be evaluated: The impact of these waivers will be measured by the performance criteria and assessments that apply to MVM as set forth in this application.

Expected Outcome: MVM expects that, as a result of this waiver, it will be able to manage its own personnel affairs.