

TPAAK Rationale and Replacement Plan for Waivers from State Statute and Rule

TR Paul Academy of Arts & Knowledge
 4800 Wheaton Drive
 Fort Collins, CO 80525

Charter School Contact:
 Shannon Keigan
 970-316-6706
skeigan@tpaak.org

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

NON-AUTOMATIC WAIVERS: STATUTE DESCRIPTION AND RATIONALE

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)(A) Board of Education- Specific Duties
Determine teacher-pupil contact hours

C.R.S. §22-32-109(1)(n)(II)(B) Board of Education- Specific Duties
District Calendar

Rationale: The school year at TPAAK will total approximately 180 days per year which exceeds the current requirement in state statute. TPAAK will prescribe the actual details of its own school

calendar to best meet the needs of its students.

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

Duration of the Waivers: TPAAK requests that the waivers be for the duration of its contract with CSI.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on CSI or TPAAK.

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.

C.R.S. § 22-63-201 Employment. Certificate required

Prohibits board from entering into an employment contract with a person who does not hold a teacher's certificate or letter of authorization.

C.R.S. § 22-63-202

Teacher employment, contracts in writing-duration-damage provision

Rationale: TPAAK should be granted the authority to hire teachers and principals that will support the schools goals and objectives. The principal/executive director 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 principals/executive directors 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 TPAAK will be employed on an at-will basis. All employees of TPAAK 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 TPAAK.

Duration of the Waivers: TPAAK requests that the waivers be for the duration of its contract with CSI.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on CSI or TPAAK.

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.

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

Provides for contract with probationary teachers and allows for non-renewal and renewal of employment contract

Rationale: TPAAK 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 TPAAK. All employees of TPAAK will be employed on an at-will basis.

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

Duration of the Waivers: TPAAK requests that the waivers be for the duration of its contract with CSI.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on CSI or TPAAK.

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.

C.R.S. § 22-9-106 Local board duties concerning performance evaluations for licensed personnel

Rationale: In order to best assist TPAAK personnel, the Executive Director must have the ability to perform the evaluation of all personnel, even if the Executive Director does not hold a Type D certificate. TPAAK 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 TPAAK. All employees of TPAAK will be employed on an at-will basis.

Replacement Plan: The TPAAK School Board, in conjunction with the Executive Director, has developed an ongoing and summative and formative evaluation plan which will apply specifically to the work duties of a teacher. The evaluation includes clear quality standards for those being evaluated and the evaluator and all staff have been trained in the use of the evaluation system.

Duration of the Waivers: TPAAK requests that the waivers be for the duration of its contract with CSI.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on CSI or TPAAK.

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. The impact of this waiver will also be measured by the ongoing evaluation of the teaching staff relative to specific duties they will perform. Ultimately, TPAAK

expects that overall student achievement will be positively influenced by a staff which is trained and evaluated according to current best practices in education.

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

C.R.S. § 22-63-206 Teacher Employment Act — Transfer of teachers

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

Rationale: TPAAK is granted the authority under the Charter School Agreement to select its own teachers. No other school or CSI should have the authority to transfer its teachers into TPAAK or transfer teachers from TPAAK to any other schools, except as provided for in the Charter School Agreement.

Replacement Plan: The school will hire teachers on a best qualified basis. There is no provision for transfers.

Duration of the Waivers: TPAAK requests that the waivers be for the duration of its contract with CSI.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on CSI or TPAAK.

How the Impact of the Waiver Will be Evaluated: The impact of this waiver will be measured by the performance criteria and assessments that apply to TPAAK, 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.

C.R.S. § 22-33-105 Suspensions, Expulsions and Denial of Admission

Rationale: The Executive Director of TPAAK must have the authority to enforce suspensions, expulsions and denials of admission, and their related areas. The Board of Directors should be granted the authority to submit the required reports and to develop a policy that provides an alternative to suspension.

Replacement Plan: The student policies are outlined in the TPAAK Student Handbook and are outlined in this Charter Proposal.

Duration of the Waivers: TPAAK requests that the waivers be for the duration of its contract with CSI.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on CSI or TPAAK.

How the Impact of the Waiver Will be Evaluated: TPAAK and CSI will review the detailed student policies to ensure compliance with all state and federal requirements. Student suspensions, expulsions and denial of admission matters will be communicated to CSI in accordance with all applicable CSI and contractual requirements.

Expected Outcome: TPAAK anticipates that the outcome of the waiver will be a policy with regard to suspensions, expulsions and denials of admission which is consistent with students' needs.

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

Rationale: TPAAK has established a performance evaluation system and received a waiver for C.R.S § 22-9-106 enabling its use of that system. Due to this prior approved waiver, TPAAK should not be required to report their teacher evaluations ratings as part of the commissioner's report.

Replacement Plan: If granted this waiver, TPAAK will not be required to report their teacher evaluation data through the Teacher Student Data Link collection process. However, the data provided by TPAAK's teacher evaluation system is a critical component in the decision-making process for retention, promotion and placement of the school's teachers. 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.

Duration of the Waivers: TPAAK requests that the waivers be for the duration of its contract with CSI.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on CSI or TPAAK.

How the Impact of the Waiver Will be Evaluated: The impact of this waiver will be measured by the performance criteria and assessments that apply to TPAAK as detailed in the Charter School Agreement.

Expected Outcome: With this waiver, the school will be able to spend more time reviewing the teacher evaluation data for important, internal use to promote good teaching.