



CIVA Charter High School

Rationale and Replacement Plan for Waivers from State Statute and Rule

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Automatic Waivers	
State Statute Citation	Description
C.R.S. § 22-32-109(1)(f)	Local board duties concerning selection of staff and pay
C.R.S. § 22-32-109(1)(t)	Determine educational program and prescribe textbooks
C.R.S. § 22-32-110(1)(h)	Local board powers-Terminate employment of personnel
C.R.S. § 22-32-110(1)(i)	Local board duties-Reimburse employees for expenses
C.R.S. § 22-32-110(1)(j)	Local board powers-Procure life, health, or accident insurance
C.R.S. § 22-32-110(1)(k)	Local board powers-Policies relating the in-service training and official conduct
C.R.S. § 22-32-110(1)(ee)	Local board powers-Employ teachers' aides and other non-certificated personnel
C.R.S. § 22-32-126	Employment and authority of principals
C.R.S. § 22-33-104(4)	Compulsory school attendance-Attendance policies and excused absences
C.R.S. § 22-63-301	Teacher Employment Act-Grounds for dismissal
C.R.S. § 22-63-302	Teacher Employment Act-Procedures for dismissal of teachers
C.R.S. § 22-63-401	Teacher Employment Act-Teachers subject to adopted salary schedule
C.R.S. § 22-63-402	Teacher Employment Act-Certificate required to pay teachers
C.R.S. § 22-63-403	Teacher Employment Act-Describes payment of salaries
C.R.S. § 22-1-112	School Year-National Holidays

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan**C.R.S. § 22-9-106 Local Board of Education-Duties-Performance Evaluation System;
C.R.S. § 22-2-112(1)(q)(l) Commissioner-Duties**

Rationale: The CIVA Charter High School Headmaster or designee must have the ability to perform the evaluation of all personnel. Should any other designated administrator not have a Principal Licensure, this should not preclude them from administering the evaluations under the direction of the Principal. The Board of Directors must also be able to perform the evaluation for the Headmaster. Additionally, CIVA Charter High School should not be required to report its teacher evaluation ratings as a part of the commissioner's report as required by C.R.S. § 22-2-112(1)(q)(l), but will still report on in-field/out-of-field.

Replacement Plan: CIVA Charter High School may use its own evaluation system as agreed to in the charter contract with Colorado Springs School District 11. CIVA Charter High School's evaluation system will continue to meet the intent of the law as outlined in statute. Staff will be annually trained in this evaluation system. The methods used for the school's evaluation system will include quality standards that are clear and relevant to the administrators' and teachers' roles and responsibilities, have the goal of improving student academic growth, and meet the intent of the quality standards established in C.R.S. §§ 22-9-101 et seq. The school will not be required to report its teacher evaluation data through applicable state collections; however, teacher performance ratings data will be reviewed by the school and used to inform hiring practices and professional development. 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 Waivers: The waiver will extend for the duration of the contract.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on the Colorado Springs School District 11 or the CIVA Charter High School budget.

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 the school, as set forth in the charter contract. The Board of Directors of the school and school leader will evaluate the effectiveness of their evaluation system and make adjustments as they may deem appropriate.

Expected Outcome: If granted, the waiver will enable the school 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**C.R.S. § 22-32-109(1)(n)(l) 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
C.R.S. § 22-32-109(1)(n)(II)(A) Board of Education – Teacher Pupil Contact Hours**

Rationale: CIVA Charter High School will prescribe the actual details of its own school calendar to best meet the needs of its students. As such, the school will have a calendar that may differ from the rest of the schools within Colorado Springs School District 11. CIVA Charter High School will always meet at least the minimum required time and days as outlined in state law.

Replacement Plan: The final calendar and the school's daily schedule will be designed and approved by the CIVA Charter High School's Administration Team and Board of Directors and will meet or exceed the requirements in state statute. The Board will adopt a policy that specifies a process regarding how and when a calendar is adopted and how changes to the calendar are made. A copy of the calendar will be distributed to parents of CIVA Charter High School. To the extent possible, CIVA Charter High School will endeavor to develop a calendar that aligns with the calendar of Colorado Springs School District 11.

Duration of Waivers: The waiver will extend for the duration of the contract.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on the Colorado Springs School District 11 or the CIVA Charter High School budget.

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

Expected Outcome: As a result of this waiver, the school will be able to operate in accordance with its own schedule, designed to meet the needs of its community and educational program, which is vital to the success of its program.

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

C.R.S. § 22-32-109(1)(b) Local Board Duties Concerning Competitive Bidding

C.R.S. § 22-32-110(1)(y) Local Board Powers-Accepting Gifts, Donations, and Grants

Rationale: In order to manage its own budget and finances, CIVA Charter High School must be granted the authority to develop its own financial policies and practices. CIVA Charter High School, rather than Colorado Springs School District 11, is in the best position to know what goods and services are needed and which vendors and providers may be available.

Replacement Plan: CIVA Charter High School's Board of Directors will adopt a policy concerning competitive bidding, as required by applicable law, and for selecting successful bidders on projects/contracts. CIVA Charter High School will ensure the process is open, transparent, and in compliance with all applicable rules and regulations. Additionally, the board will adopt a policy for accepting gifts, grants and donations.

Duration of Waivers: The waiver will extend for the duration of the contract.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on the Colorado Springs School District 11 or the CIVA Charter High School budget.

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

Expected Outcome: CIVA Charter High School expects that, because of this waiver, it will be able to manage its own financial affairs.

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

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

Rationale: CIVA Charter High School must be granted the authority to hire teachers and principals that will support the school's goals and objectives. The principal 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. CIVA Charter High School will seek to attract principals 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.

Replacement Plan: All CIVA Charter High School employees will meet the guidelines set forth in the Colorado state ESSA plan, specifically (1) endorsement on a Colorado teaching license; (2) holding at least a BA or higher in the relevant subject area; (3) completing 36 semester credit hours in the subject matter in which s/he teaches; or (4) passing a State Board approved content exam in the relevant subject area. All school employees will meet applicable fingerprinting and background check requirements. Special Education Teachers will hold the requisite state license and endorsement. CIVA Charter High School will report the number of in-field/out-of-field teacher designations, years of experience of teachers, or any other requirements promulgated by CDE.

Duration of Waivers: The waiver will extend for the duration of the contract.
Financial Impact: The school anticipates that the requested waivers will have no financial impact on the Colorado Springs School District 11 or the CIVA Charter High School budget.
How the Impact of the Waivers Will be Evaluated: The impact of this waiver will be measured by the same performance criteria and assessments that apply to the school, as set forth in the Charter Agreement.
Expected Outcome: As a result of this waiver, CIVA Charter High School will be able to operate in accordance with its own program and hire teachers that best fit the school's design, which is vital to the success of its program.

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan
C.R.S. § 22-63-202 Teacher Employment, Contracts in Writing-Duration-Damage Provision
C.R.S. § 22-63-203 Probationary Teachers-Renewal and Non-renewal of Employment Contract
Rationale: To manage its own personnel, CIVA Charter High School must be granted the authority to select its own teaching staff, develop its own employment agreements and terms and conditions of employment.
Replacement Plan: CIVA Charter High School teachers will be employed on an at-will basis. CIVA Charter High School has written teacher agreements with the terms of non-renewal and renewal of employment agreements, and payment of salaries upon termination of employment of a teacher. 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.
Duration of Waivers: The waiver will extend for the duration of the contract.
Financial Impact: The school anticipates that the requested waivers will have no financial impact on the Colorado Springs School District 11 or the CIVA Charter High School budget.
How the Impact of the Waivers Will be Evaluated: The impact of this waiver will be measured by the same performance criteria and assessments that apply to the school, as set forth in the Charter Agreement.
Expected Outcome: CIVA Charter High School expects that, as a result of this waiver, it will be able to manage its own personnel affairs.

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan
C.R.S. § 22-63-206 Transfer of Teachers
Rationale: CIVA Charter High School has a unique curriculum for which having the proper teaching staff is essential. No other school nor Colorado Springs School District 11 should have the authority to transfer its teachers into or from CIVA Charter High School.
Replacement Plan: CIVA Charter High School will not participate in the district's transfer policies and procedures; however, to the extent that teachers are transferred to other positions or grades within the school, there shall be no discrimination shown toward any teacher in the assignment or transfer of that teacher because of sex, sexual orientation, marital status, race, creed, color, religion, national origin, ancestry, or membership or non-membership in any group or organization. Race includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race.
Duration of Waivers: The waiver will extend for the duration of the contract.
Financial Impact: The school anticipates that the requested waivers will have no financial impact on the Colorado Springs School District or the CIVA Charter High School budget.

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

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