

## **APPENDIX C**

### **Academy of Urban Learning**

#### **Requested State Statute Waivers**

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

#### Automatic State Waivers

- 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 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:

- 22-9-106, C.R.S. Local Board of Education-Duties-Performance Evaluation System
- 22-2-112(1)(q)(I), 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
- 22-63-201, C.R.S. Employment. Certificate required
- 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

<b>Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan</b>
<p><b>Statutory Citation and Title:</b>  <b>C.R.S. § 22-9-106 <u>Local Board of Education-Duties-Performance Evaluation System</u></b>  <b>C.R.S. § 22-2-112(1)(q)(I) <u>Commissioner-Duties</u></b></p>
<p><b>Rationale:</b> The school leader of Academy of Urban Learning 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 of Urban Learning 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)</p>
<p><b>Replacement Plan:</b> Academy of Urban Learning 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 of Urban Learning’s evaluation system will continue to meet the intent of the law as outlined in statute. The methods used for Academy of Urban Learning’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.</p>
<p><b>Duration of Waivers:</b> The duration of the contract.</p>
<p><b>Financial Impact:</b> The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school.</p>
<p><b>How the Impact of the Waivers Will be Evaluated:</b> 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.</p>

**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 of Urban Learning will total approximately 141 days per year which exceeds the current requirement in state statute. Academy of Urban Learning 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 of Urban Learning 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 of Urban Learning 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 of Urban Learning 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 of Urban Learning 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 of Urban Learning may specify teacher-pupil contact hours that differ from other schools in the district.

**Replacement Plan:** Academy of Urban Learning 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.

<b>Financial Impact:</b> The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school.
<b>How the Impact of the Waivers Will be Evaluated:</b> 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.
<b>Expected Outcome:</b> As a result of this waiver, the school will be able to implement the necessary policies to increase student achievement.

<b>Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan</b>
<b>Statutory Citation and Title:</b> <b>C.R.S. § 22-63-201 <u>Employment. Certificate required</u></b> <b>C.R.S. § 22-63-202 <u>Teacher employment, contracts in writing-duration-damage provision</u></b>
<b>Rationale:</b> Academy of Urban Learning 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 of Urban Learning will be employed on an at-will. All employees of Academy of Urban Learning will meet Federal Highly Qualified Requirements (i.e.: hold a degree and demonstrated subject-matter competency).
<b>Replacement Plan:</b> 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 of Urban Learning.
<b>Duration of Waivers:</b> The duration of the contract.
<b>Financial Impact:</b> The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school.
<b>How the Impact of the Waivers Will be Evaluated:</b> 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.
<b>Expected Outcome:</b> 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.

<b>Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan</b>
<b>Statutory Citation and Title:</b> <b>C.R.S. § 22-63-203 <u>Probationary Teachers -renewal and non-renewal of employment contract</u></b>
<b>Rationale:</b> Academy of Urban Learning 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 of Urban Learning. All employees of the school will be employed on an at-will basis.
<b>Replacement Plan:</b> Academy of Urban Learning 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.
<b>Duration of Waivers:</b> The duration of the contract.
<b>Financial Impact:</b> The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school.
<b>How the Impact of the Waivers Will be Evaluated:</b> 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.
<b>Expected Outcome:</b> 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.

<b>Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan</b>
<b>Statutory Citation and Title:</b> <b>C.R.S. § 22-63-206 Teacher Employment, Compensation and Dismissal Act</b>
<b>Rationale:</b> Academy of Urban Learning 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 of Urban Learning or transfer teachers from Academy of Urban Learning to any other schools, except as provided for in the Charter School Agreement.
<b>Replacement Plan:</b> Academy of Urban Learning will hire teachers on a best qualified basis. There is no provision for transfers.
<b>Duration of Waivers:</b> The duration of the contract.
<b>Financial Impact:</b> The school anticipates that the requested waivers will have no financial impact on Denver Public Schools or the school.
<b>How the Impact of the Waivers Will be Evaluated:</b> 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.
<b>Expected Outcome:</b> 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.

## Appendix D Academy of Urban Learning (AUL)

### Type I DPS Charter Waivers

The following DPS policies do not apply to charter schools and are therefore automatic:

#### A Policies: Foundations and Basic Commitments

A	Policy Framework for Accelerating Gains in Academic Achievement for All Students
ACE	Equitable and Inclusive Contracting Policy
AD	Educational Philosophy/School District Mission
ADE	Innovation in Education

#### B Policies: School Board Governance and Operations

BBA	School Board Powers and Responsibilities
BC	Board Member Conduct
BCB	Board Member Conflict of Interest
BDB	Board Officers
BDF	Advisory Committees/Councils
BDF-R1	Career and Tech Ed Council
BDF-R2	Preschool Program Council
BDF-R3	Drug-Free Schools Advisory Council
BDFA	District Personnel Performance Evaluation Council
BDFA-R	Procedures for District Personnel Performance Evaluation Council
BDFB	Finance and Audit Committee
BDFB-E	Exhibit - Finance and Audit Committee Charter
BDFG	District Accountability Committee
BDFG-R	Procedures for District Accountability Committee
BE	School Board Meetings
BG	School Board Policy Adoption Process
BID/BIE	Board Fiscal Policy/Board Member Compensation and Expenses/Liability

#### C Policies: General School Administration

CBA/CBC	Powers and Responsibilities of Superintendent
CBI	Evaluation of Superintendent

#### D Policies: Fiscal Management

DEA	Mill Levy Distribution
DFA	Investment and Cash Management Policy
DFB	Debt Policy
DFC	Derivatives Policy

DH	Bonded Employees and Officers
DIA	Online Schools and Online Programs
DIE	Audits/Financial Monitoring
DJGA	Sales Calls and Demonstrations
EBAB	Hazardous Materials and Asbestos Management
EEA	Student Transportation
EEA-R1	Regulation for Transportation of Students in School Buses
EEA-R2	Student Transportation in Private Vehicles
EEAFB	Use of School Vehicles by Community Groups
EEAFB-R	Regulations of Use of School Vehicles by Community Groups

F Policies: Facilities Development

FB	Historical Designation of Facilities
FF	Naming of Facilities <i>(unless in District facility, then unwaivable)</i>

J Policies: Students

JFABB	Admission of Foreign Exchange Students
JFABB-R	Regulation for Admission of Foreign Exchange Students
JIBA	Student Government
JIBA-R	Student Government (Student Board of Education)
JJIB	Interscholastic Sports
JICC	Student Conduct on Buses <i>(unless using DPS transportation, then unwaivable)</i>
JICC-R	Regulation for Student Conduct on School Buses <i>(unless using DPS transportation, then unwaivable)</i>

G Policies: Personnel

G	DPS Employee Handbook
GBEBA	Staff Dress Code
GBEBA-R	Regulation for the Enforcement of the Staff Dress Code
GDQD	Dismissal of full-time Classified Employees, Specialized Service Providers, and Teachers in Schools with a Waiver of Statutory Dismissal Procedures
GDQD-R	Regulation regarding Procedures for Dismissal of full-time Classified Employees, Specialized Service Providers, and Teachers in Schools with a Waiver of Statutory Dismissal Procedures

K Policies: School – Community Relations

KE	Public Concerns and Complaints
KF	Community Use of School Facilities <i>(unless in District facility, then unwaivable)</i>
KF-R	Regulation regarding Community Use of School Facilities <i>(unless in District facility, then unwaivable)</i>
KHBA	Sponsorship Programs

KCD	Public Gifts Donations to Schools
KCD-R	Regulation regarding Public Gifts/Donations and Grants



## Type II DPS Charter Waivers

School Name: Academy of Urban Learning

Contact: Michelle Kennard

A Policies: Foundations and Basic Commitments

<input type="checkbox"/>	AC	Nondiscrimination and Equal Opportunity
<input type="checkbox"/>	AC-R1	Procedures for the Investigation of Public Complaints of Discrimination or Harassment
<input checked="" type="checkbox"/>	AC-R2	Procedures for Public Requests for Reasonable Accommodations and Procedures for the Investigation of Public Complaints Regarding the Provision of Requested Accommodations
<input type="checkbox"/>	ADC	Tobacco and Marijuana-Free Schools
<input checked="" type="checkbox"/>	ADD	Safe Schools
<input checked="" type="checkbox"/>	ADF	School Wellness

B Policies: School Board Governance and Operations

<input checked="" type="checkbox"/>	BDF-R4	Collaborative School Committees
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D Policies: Fiscal Management

<input checked="" type="checkbox"/>	DJ	Purchasing
<input checked="" type="checkbox"/>	DJA	Purchasing Authority
<input checked="" type="checkbox"/>	DJA-R	Regulations for Purchasing Authority
<input checked="" type="checkbox"/>	DJB	Purchasing Procedures
<input checked="" type="checkbox"/>	DJD	Cooperative Purchasing
<input checked="" type="checkbox"/>	DJE	Bidding Procedures
<input checked="" type="checkbox"/>	DJG	Vendor Relations
<input checked="" type="checkbox"/>	DK	Stewardship of Funds
<input checked="" type="checkbox"/>	DK-R	Propriety of Expenses Procedures
<input checked="" type="checkbox"/>	DK-R1	Travel Expenses
<input checked="" type="checkbox"/>	DK-R2	Food Purchases Procedure - Non-Student Meal Related
<input checked="" type="checkbox"/>	DK-R3	District Cell Phone Procedures
<input checked="" type="checkbox"/>	DK-R4	Payroll/Deductions/Direct Deposit/Expense Reimbursements
<input checked="" type="checkbox"/>	DK-R5	Gift Card Purchasing Procedure

E Policies: Support Services

<input type="checkbox"/>	ECA	Building Safety and Security Policy
<input checked="" type="checkbox"/>	EFEA	Nutritious Food Choices
<input type="checkbox"/>	EGAEA	Electronic Mail and Internet Policy
<input checked="" type="checkbox"/>	EGAEA-R1	Regulations of Use of Electronic Mail and Internet Systems
<input checked="" type="checkbox"/>	EGAEA-R2	Regulation of Social Media Use
<input type="checkbox"/>	EHB	Records Retention

I Policies: Instructional Program

<input checked="" type="checkbox"/>	IHAM	Health and Family Life/Sex Education
<input checked="" type="checkbox"/>	IHBK	Preparation for Postsecondary and Workforce Success
<input checked="" type="checkbox"/>	IHBK-R	Regulations for Preparation for Postsecondary and Workforce Success
<input checked="" type="checkbox"/>	IKA	Grading/Assessment Systems
<input checked="" type="checkbox"/>	IKA-R	Regulation for Grading/Assessment Systems
<input checked="" type="checkbox"/>	IKE	Promotion, Retention and Acceleration of Students
<input checked="" type="checkbox"/>	IKE-R	Procedure for the Promotion, Retention, and Acceleration of Students
<input checked="" type="checkbox"/>	ILBC	Early Literacy and Reading Comprehension
<input checked="" type="checkbox"/>	ILBC-R	Procedures to Implement the Colorado READ Act
<input checked="" type="checkbox"/>	IMDB	Flag Displays

J Policies: Students

<input checked="" type="checkbox"/>	JICA	Student Dress Code
<input checked="" type="checkbox"/>	JICDE	Bullying Prevention and Education
<input checked="" type="checkbox"/>	JICEA	School-Related Student Publications
<input checked="" type="checkbox"/>	JICEA-R	Regulation regarding School-Related Student Publications
<input type="checkbox"/>	JICEC	Student Distribution of Noncurricular Materials
<input type="checkbox"/>	JICEC-R	Regulation for Student Distribution of Noncurricular Materials
<input type="checkbox"/>	JICF	Secret Societies/Gang
<input type="checkbox"/>	JICG	Use of Tobacco by Students
<input type="checkbox"/>	JICH	Drug and Alcohol Use by Students
<input type="checkbox"/>	JICH-R	Regulations for Drug and Alcohol Use by Students
<input type="checkbox"/>	JIH	Student Interviews, Interrogations, Searches and Arrests
<input checked="" type="checkbox"/>	JJH	Student Travel and Field Trips (if not waived, “superintendent” approval will be replaced by “charter school leader” approval)
<input checked="" type="checkbox"/>	JJH-R	Regulation regarding Student Travel and Field Trips
<input type="checkbox"/>	JKA	Restraint of Students
<input type="checkbox"/>	JKC	Staff Use of Physical Intervention of Force/Student Discipline
<input type="checkbox"/>	JLC	Student Health Services and Records
<input type="checkbox"/>	JLCDA	Students with Food Allergies
<input type="checkbox"/>	JLF	Child Abuse and Reporting
<input type="checkbox"/>	JLCDB	Administration of Medical Marijuana to Qualified Students
<input type="checkbox"/>	JLCDB-E	Written Plan: Administration of Medical Marijuana to Qualified Students
<input type="checkbox"/>	JLF-R	Reporting Child Abuse and Child Protection
<input type="checkbox"/>	JLI	Student Safety
<input checked="" type="checkbox"/>	JQ	Student fees, Fines and Charges (if not waived, “area superintendent approval” will be read as “charter school leader approval”)

<input type="checkbox"/>	JRA/JRC	Student Records/Release of Information on Students
<input type="checkbox"/>	JRA/JRC-R	Regulation Regarding Student Records and Release of Student Information

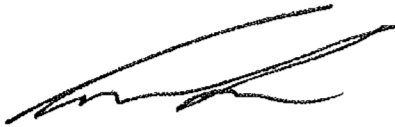
G Policies: Personnel

<input type="checkbox"/>	GBA	Equal Employment Opportunity and Nondiscrimination
<input type="checkbox"/>	GBA-R1	Procedures for the Investigation of Employee Complaints of Discrimination or Harassment
<input checked="" type="checkbox"/>	GBA-R2	Procedures for Employee Requests for Reasonable Accommodations and Procedures for the Investigation of Employee Complaints Regarding the Provision of Requested Modifications or Accommodations
<input checked="" type="checkbox"/>	GBEBC	Gifts to and Solicitations by Staff
<input type="checkbox"/>	GBEC	Drug, Alcohol and Tobacco-Free Workplace (Use by Staff Members)
<input checked="" type="checkbox"/>	GBEC-R	Regulation for the Enforcement of the Drug, Alcohol and Tobacco-free Workplace Policy
<input type="checkbox"/>	GBGB	Personal Safety and Security
<input checked="" type="checkbox"/>	GCF/GDF	Staff Recruiting/Hiring

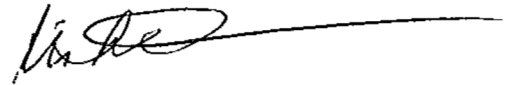
K Policies: Instructional Program

<input type="checkbox"/>	KB	Family Engagement (Including Title I Family Engagement)
<input type="checkbox"/>	KB-R	Regulation for Family Engagement (Including Title 1 Family Engagement)
<input type="checkbox"/>	KDB	Public's Right to Know - Freedom of Information
<input type="checkbox"/>	KDB-R	Regulation regarding Public's Right to Know - Freedom of Information
<input type="checkbox"/>	KDE	Emergency Management
<input type="checkbox"/>	KFA	Public Conduct on School Property
<input type="checkbox"/>	KFA-R	Regulation regarding Public Conduct on School Property
<input checked="" type="checkbox"/>	KHB	Advertising in Schools
<input type="checkbox"/>	KI	Visitors to Schools

By signing below, the school affirms that it has replacement policies that comply with the intent of the policy for each of the non-automatic waivers sought above that are legally required.



School Board President



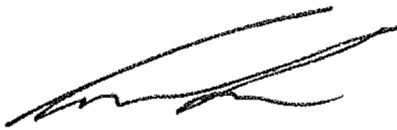
School Official

## Type III DPS Charter Waivers

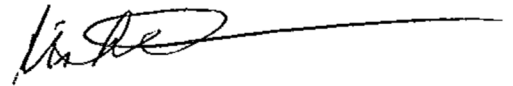
The school seeks the following non-automatic waivers and has attached the replacement policy for DPS review:

<input checked="" type="checkbox"/>	IKF	Graduation Requirements
<input checked="" type="checkbox"/>	IKF-R	Graduation Requirements
<input type="checkbox"/>	JK	Student Discipline (note: provisions related to expulsion cannot be waived)
<input type="checkbox"/>	JK-R	Student Conduct and Discipline Procedures (note: provisions related to expulsion cannot be waived)
<input type="checkbox"/>	JB	Equal Educational Opportunity and nondiscrimination
<input type="checkbox"/>	JB-R1	Procedures for the Investigation of Student Complaints of Discrimination or Harassment
<input type="checkbox"/>	JB-R2	Regulation for Implementing Section 504 of the Rehabilitation Act of 1973 ("Section 504") and Section 504 Grievance Procedures
<input type="checkbox"/>	GBEA	Conflicts of Interest

By signing below, the school affirms that they have submitted replacement policies for any of the above waived policies to the Portfolio Management Team.



\_\_\_\_\_  
School Board President



\_\_\_\_\_  
School Official