

EXHIBIT C: REQUESTED WAIVERS

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)(n)(II)(A), C.R.S.	Determine teacher-pupil contact hours
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

State Statute Citation	Description
22-9-106, C.R.S.	Performance evaluations for licensed personnel
22-2-112(1)(q)(I)	
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
22-63-204, C.R.S.	Interest prohibited
22-63-205, C.R.S.	Exchange of teachers – exchange educator interim authorization
22-63-206, C.R.S.	Teacher employment, Compensation and Dismissal Act
22-1-110, C.R.S.	Effect of Use of Alcohol and Controlled Substances to be Taught
22-32-109 (1)(n), C.R.S.	Local board duties - school calendar and teacher/pupil contact hours

22-32-120, C.R.S.	Establishment and Operation of Food Service Facilities
22-33-105	Suspension, expulsion, and denial of admission
22-33-107	Enforcement of compulsory school attendance
22-33-108	Judicial proceedings

22-9-106, C.R.S.

Performance evaluations for licensed personnel

22-2-112(1)(q)(I)

Commissioner-Duties

Rationale: The Mountain Middle School HOS 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 Headmaster or designated head of school. Additionally, the school 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: The HOS will employ its own personnel, which includes evaluating their performance. Teachers will be held accountable to the Head of School (HOS) of MMS. At a minimum, the evaluation system will consist of the procedures adopted by the HOS and supported by the Board of Directors. There is an evaluation system in place, staff and leadership have been trained in that system and there are clear quality standards for the teachers and school leaders roles and responsibilities. This evaluation plan will evaluate performance areas: professional preparation and planning, professional techniques and professional behavior, instruction, and deeper learning expectations. In addition to this system of evaluation, teachers will be rewarded for overall student academic achievement with contract renewal. This evaluation system is proven and has been implemented at MMS. The school uses its own evaluation system as agreed to in the Charter School Agreement and therefore should not be required to report their teacher evaluation data. The school's evaluation system will continue to meet the intent of the law as outlined in statute. The methods used for Mountain Middle School'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 teacher. Core course level participation will continue to be reported pursuant to C.R.S. 22-11-503.5, as this is a nonwaivable statute.

How the Impact of the Waivers Will be Evaluated: The CSI will monitor this through annual Accreditation and the Annual Performance Report. Additionally the evaluation will include, but not be limited to: 1) measurement against stated goals; 2) HOS observations.

Expected Outcome: MMS will be able to hire, evaluate and retain higher quality personnel due to their authority to hire their own personnel according to charter contract.

22-63-201 - 203, 206, C.R.S. Teacher employment, compensation and dismissal act

Rationale: The Mountain Middle School HOS, via the charter contract, has been granted the authority to hire and evaluate personnel. Its status as a charter school makes these teacher employment, compensation and dismissal act provisions irrelevant.

Replacement Plan: The school will hire personnel, including highly qualified staff, which includes evaluating their performance.

How the Impact of the Waivers Will be Evaluated: The CSI will monitor this through annual Accreditation and the Annual Performance Report.

Expected Outcome: MMS HOS will be able to hire, evaluate and retain higher quality personnel due to their authority to hire their own personnel according to charter contract.

22-63-204 and 205, C.R.S. Teacher employment, compensation and dismissal act

Rationale: Because MMS employs its own at-will staff, these statutes are irrelevant.

Replacement Plan: The MMS HOS will be solely responsible for determining staff selection, assignment and compensation

How the Impact of the Waivers Will be Evaluated: The CSI will monitor this through annual Accreditation and the Annual Performance Report.

Expected Outcome: The MMS HOS will be responsible for implementing the educational program. This includes all staff matters.

22-1-110, C.R.S. Effect of Use of Alcohol and Controlled Substances to be Taught

Rationale: The MMS HOS will determine the school's educational program, which includes the manner and degree to which the effects of alcohol and controlled substances will be taught.

Replacement Plan: The MMS HOS will have the authority to determine the educational program and instructional material and strategy used to teach these topics and the extent to which these topics will be integrated into the curriculum. The school is still responsible for aligning to the PE and health state content standards.

How the Impact of the Waivers Will be Evaluated: The CSI will monitor this through annual Accreditation, the Annual Performance Report and financial reporting.

Expected Outcome: The MMS HOS will more efficiently utilize school funds and according to board policies.

22-32-109 (1)(n), C.R.S. Local board duties - school calendar and teacher/pupil contact hours

Rationale: The Mountain Middle School HOS, via the charter contract, has been granted the authority to implement the school's educational program as detailed in the charter school application. The HOS will determine a school calendar, including instructional hours, that meets or exceeds the state's requirements.

Replacement Plan: The MMS HOS will establish its own school calendar. This calendar will meet or exceed the required number of days in a school year and the required number of teacher-pupil contact hours as required by statute.

How the Impact of the Waivers Will be Evaluated: The CSI will monitor this through annual Accreditation, the Annual Performance Report and financial records for per student funding.

Expected Outcome: The MMS HOS has the authority to implement the educational program design model, including the school calendar.

22-32-120, C.R.S. Establishment and Operation of Food Service Facilities

Rationale: The MMS HOS should be delegated authority to conduct its own food service program as it operates independently of any neighboring schools since it is a CSI school.

Replacement Plan: MMS will provide lunches for students who qualify for a Free or Reduced-Price Lunch. However, due to varying facility options, it is unclear whether there will be food service facilities for the term of the charter.

How the Impact of the Waivers Will be Evaluated: The CSI will monitor this through annual Accreditation, the Annual Performance Report and financial reporting.

Expected Outcome: The MMS HOS will be able to address food service needs in accordance with facility and financial limitations.

22-33-105, 107 and 108, C.R.S. Compulsory school attendance; suspension, expulsion, and denial of admission; enforcement of compulsory attendance; and judicial proceedings

Rationale: CSI doesn't have the capacity to manage school discipline issues at each of its schools. Therefore, CSI-sponsored schools must have their own policies and procedures to address these issues.

Replacement Plan: The MMS HOS will be solely responsible for school attendance, suspension, expulsion and denial of admission according to board policies and administrative procedures.

How the Impact of the Waivers Will be Evaluated: The CSI will monitor this through annual Accreditation and the Annual Performance Report.

Expected Outcome: The MMS HOS, in communication with CSI, will effectively manage all student disciplinary issues.