



MESA VALLEY
Community School

Waiver Rationale
& Replacement Policies
December 12, 2018

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Duration of Waivers: The duration of all waivers is requested for the term of the MVCS charter contact with District #51, commencing on July 1, 2018.

Financial Impact: No significant impact on the budget of the school or district is anticipated for any of the waivers.

Automatic Waivers: The following automatic waivers apply to Mesa Valley Community School’s (MVCS) charter school contract with Mesa Valley Community School District #51 (District #51) beginning in the 2018-2019 school year. The table below contains information current as of June 2, 2017.

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

Non-Automatic Waivers: In addition to the automatic waivers listed above, MVCS requests waivers from the state statutes listed on the following pages.



C.R.S. § 22-9-106: Performance Evaluation System

C.R.S. § 22-2-112(1)(q)(I): Reporting Evaluation Ratings

Rationale

To be effective, Mesa Valley Community School (MVCS) must be able to develop and adopt an evaluation system that meets its educational goals while accounting for the uniqueness of MVCS. This allows for all personnel to be evaluated on tasks which closely match actual practice.

Replacement Plan

MVCS and its Director or designee is not required to have a principal or administrator license, however, he or she is required to receive education and training in evaluation skills approved by the department of education that will enable him or her to make fair, professional, and credible evaluations of the personnel whom he or she is responsible for evaluating. The MVCS Board of Directors is also trained and annually evaluates the Director.

Instead, MVCS will use its own evaluation system which uses a consistent scale, trains both teachers and leaders in the process, has clear qualifications set forth for all evaluators and those being evaluated, and makes documentation of scores available to teachers upon request. The school's evaluation system will continue to meet the intent of the law as outlined in statute. The methods used for MVCS'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.

Additionally, the school will not report its teacher evaluation ratings as a part of the commissioner's report (through the TSDL collection) as required by C.R.S. § 22-2-112(1)(q)(I). However, teacher performance data will be reviewed by MVCS 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.

Evaluation of Impact

The impact of the waiver will be measured by the performance criteria and assessments that apply to MVCS, as set forth in its charter application and contract.

Expected Outcome

With this waiver, MVCS will be able to meaningfully evaluate its teachers in accordance with its unique educational program, and meeting the intent of state law.



C.R.S. § 22-32-109(1)(n)(I): School Calendar

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

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

Rationale

The uniquely personalized nature of MVCS's educational program depends on flexibility in scheduling. Consequently, MVCS must be able to develop and adopt a school schedule and calendar that meets its educational goals.

Replacement Plan

MVCS provides a unique, flexible, and innovative approach to learning that develops a personalized learning plan for each student, focused on meeting the student's needs as opposed to traditional "seat time" requirements. The school will work closely with its authorizing school district to ensure students are spending an adequate and appropriate amount of time on their education. The 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 the District. The final calendar and the school's daily schedule will be designed annually by the school in a manner to meet or exceed the requirements set forth in state statute and the needs of its students.

Evaluation of Impact

The impact of the waiver will be measured by the performance criteria and assessments that apply to the school, as set forth in its charter application and contract.

Expected Outcome

With this waiver, MVCS will be able to develop and adopt a school calendar and schedule that best fits the school's mission and the needs of its community.



C.R.S. § 22-63-201: Teacher Licensure

Rationale

MVCS is a unique school and must be able to develop and adopt school policies for hiring teachers that best fit the school's academic needs.

Replacement Plan

MVCS hires teachers and principals who will support the school's unique educational program, goals, and objectives. The school may hire certified teachers and principals as it sees fit. However, in some instances it may be advantageous for the school to be able to hire teachers and/or administrators who do not have a state issued teaching certificate, but who possess unique background and/or skills to meet the needs of students. The school seeks to attract teachers from a wide variety of backgrounds, including—but not limited to—teachers from out of state, teachers with a lapsed Colorado certificate, teachers with successful teaching experience in a setting not requiring a license, as well as non-traditional teachers with business or professional experience. Special Education teachers meet federal requirements under the Every Student Succeeds Act (ESSA). Teachers instructing in core content areas also meet federal requirements under ESSA. If a non-SPED teacher with these qualifications cannot be hired, a teacher with the minimum qualifications of a bachelor's degree may be hired, provided he/she has a plan in place to meet ESSA qualifications.

Evaluation of Impact

The impact of the waiver will be measured by the performance criteria and assessments that apply to the school, as set forth in its charter application and contract.

Expected Outcome

With this waiver, MVCS will be able to employ professional staff possessing unique skills and/or background fulfilling all staffing needs.



MESA VALLEY COMMUNITY SCHOOL

Teacher Employment, Compensation, & Dismissal

C.R.S. § 22-63-202: Teacher Employment Contracts

C.R.S. § 22-63-203: Probationary Teachers

C.R.S. § 22-63-206: Transfer of Teachers

Rationale

MVCS is a unique school, operating differently from other schools with a unique curriculum for which having the proper teaching staff is essential. It has the obligation to manage its own personnel matters and must have the authority to do so. No other school nor the District should have the authority to transfer its teachers into the school or transfer teachers from the school to any other schools.

Replacement Plan

MVCS selects its own teaching staff on a best-qualified basis, developing its own written employment agreements with terms and conditions of employment that comply with applicable federal and state employment laws. All employees of the school are employed on an at-will basis and meet applicable fingerprinting and background check requirements.

Evaluation of Impact

The impact of the waiver will be measured by the performance criteria and assessments that apply to the school, as set forth in its charter application and contract.

Expected Outcome

With this waiver, MVCS will be able to employ professional staff who possess unique skills and/or backgrounds, filling all staff needs.



C.R.S. § 22-32-110(1)(y): Accept Gifts, Grants and Donations

C.R.S. § 22-32-109(1)(b): Competitive Bidding

Rationale

MVCS is a unique school and needs to ability to operate with the autonomy, flexibility, and authority granted it through the Charter Schools Act.

Replacement Plan

MVCS is responsible for developing and regularly reviewing/updating policies that align with the intent of §22-32-109(1)(b) and §22-32-110(1)(y) for determining acceptance of gifts, grants, and donations and also determining its policies for competitive bidding.

Evaluation of Impact

The impact of the waiver will be measured by the performance criteria and assessments that apply to the school, as set forth in its charter application and contract.

Expected Outcome

As a result of this waiver, MVCS will be able to manage its finances and budget in a way that suits its unique needs.



C.R.S. § 22-7-1014: Kindergarten School Readiness Plans

Rationale

The uniquely home-based and personalized nature of MVCS's educational program makes parents an invaluable source of information regarding kindergarten school readiness. MVCS should be able to work with parents to acquire this information in a convenient way.

Replacement Plan

MVCS provides a unique, flexible, and innovative approach to learning that develops a personalized learning plan for each student, focused on meeting the student's needs throughout the year. For kindergarten students, MVCS annually collaborates with parents to administer a Colorado Department of Education-approved, research-based, valid, and reliable school readiness assessment which has been slightly modified to accommodate the solicitation of parent input. This assessment is given to each kindergarten student within the first 60 days of the school year and covers the areas of 1) physical well-being and motor development, 2) social and emotional development, 3) language and comprehension, 4) cognition, and 5) math. The literacy domain is measured by using an assessment which complies with the READ Act (currently DIBELS). The results of these assessments are together used to inform personalized learning plans for kindergarten students (acting as students' kindergarten readiness plans). Aggregated data for all six domains is reported to the state in accordance with CAP4K requirements.

Evaluation of Impact

The impact of the waiver will be measured by the performance criteria and assessments that apply to the school, as set forth in its charter application and contract.

Expected Outcome

With this waiver, MVCS will be able to maintain information about kindergarten readiness and goals in the same place and by the same method that are already in place as set forth in its charter application and contract, while still meeting the intent of the state laws. This will keep information in one place where it can be easily referenced by those using it to plan the education of kindergarten students. This best fits the school's mission and the needs of its community.