

## ATTACHMENT 5: AUTOMATIC WAIVERS OF STATE LAWS

The following automatic waivers have been granted to all charter schools by state law. No documentation is required by the state for these waivers.

### Automatic Waiver List as of 6/2/2017

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

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**ATTACHMENT 6: NON-AUTOMATIC WAIVERS OF STATE LAWS AND/OR REGULATIONS**

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## Charter School Request for Additional Waivers of State Law

This addendum lists the non-automatic waivers from statute and rule and the related replacement plans that the charter school is requesting.

Contact Information
<b>School Name:</b> HOPE Online Learning Academy Co-Op
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Summary of Non-Automatic Waivers Requested	
Statutory Citation	Description
22-2-112 (1)(q) (I), C.R.S. 22-9-106, C.R.S.	Commissioner Duties: Higher Education educator preparation programs Local boards of Education – Duties – Performance Evaluation System – Compliance - Rules
22-7 – 1014 (2)(a), C.R.S.	Preschool Individualized Readiness Plans – School Readiness - Assessments
22-32-109(1)(n)(I), C.R.S. 22-32-109(1)(n)(III)(B), C.R.S.	Board of Education – Specific Duties: Adoption of district calendar
22-32-109 (1)(II), C.R.S.	Board of Education – Specific Duties: Identifying principals that require further training
22-63-202, C.R.S. 22-63-203, C.R.S. 22-63-203.5, C.R.S. 22-63-206, C.R.S.	Employment Contracts – Contracts to be In Writing – Duration Probationary Teachers – Renewal and Nonrenewal of Employment Contract Nonprobationary Portability Transfer - Compensation

Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan
<b>Statutory Citation and Title:</b> <b>C.R.S. §22-2-112(1)(q)(I) Commissioner Duties: Higher Education educator preparation programs</b> <b>C.R.S. §22-9-106 Local Board of Education, Duties, Performance Evaluation System</b>
<b>Rationale:</b> HOPE uses its own evaluation system for all personnel. The evaluation process and resulting outcomes do not align with school district or state systems. HOPE uses its evaluation to inform professional development decisions, for each individual. Evaluation data does not attempt to rate the effectiveness of a teacher's preparatory studies while enrolled in higher education courses. The charter school leader 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 school leader. The HOPE Governing Board must also have the ability to perform the evaluation for the school leader or designated head of school. Additionally, the charter 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:** HOPE Online Learning Academy uses its own evaluation system as agreed to in the Charter School Agreement with its authorizer and therefore should not be required to report their teacher evaluation data. The charter school's evaluation system will continue to meet the intent of the law as outlined in statute. The methods used for the school's evaluation system includes 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 SB 10-191. In addition, the evaluation data is used to inform hiring practices and professional development decisions. The HOPE CEO and/or his/her designee(s) will conduct performance evaluations. The HOPE Governing Board, exclusively, will conduct performance evaluations related to the position of CEO.

**Duration of Waivers:** We request the waiver be in effect for the duration of our contract with Douglas County RE-1.

**Financial Impact:** HOPE anticipates that the requested waiver will have no financial impact upon the Douglas RE-1 or the HOPE Online Learning Academy budget.

**How the Impact of the Waivers Will be Evaluated:** Staff performance has a critical impact on the performance of the entire school and the impact of this waiver will be measured by the same performance criteria and assessments that apply to HOPE, as set forth in this Charter School Agreement.

**Expected Outcome:** With this waiver, HOPE will be able to implement its program and evaluate its staff in accordance with its performance management system. This will benefit employees as well as students.

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

**Statutory Citation and Title:**

**22-7-1014 (2)(a), C.R.S.- *Preschool Individualized Readiness Plans – School Readiness - Assessments***

**Rationale:** HOPE Online Learning Academy should have sole authority to implement relevant curriculum and assessments that ensure students success in higher learning. The domains of physical well-being, motor development, social-emotional development, language and comprehension development, and cognition and general knowledge have been and are being assessed daily through the use of existing curriculum and assessments. Support is readily available through numerous avenues based throughout the program.

**Replacement Plan:**

All Kindergartners enrolled at HOPE participate in a variety of assessments to identify students' strengths and needs in each of the domains required by the School Readiness Bill. HOPE utilizes resources from the National Association for the Education of Young Children (NAEYC) to develop an independent school readiness checklist (see Appendix I) to supplement assessment tools already in place. Teachers analyze the results from all assessments and develop a system for teaching and monitoring student progress related to all readiness domains.

**Cognitive development:**

HOPE kindergarten students are enrolled for a full day of instruction and HOPE currently uses the CKLA approved core reading program. Students receive 90 minute per day of instruction in reading as well as 90 minutes of instruction in math using the Engage NY math curriculum.

As part of the ELAT grant, all Kindergartners enrolled in HOPE participate in the DIBELS Next assessment program which assesses literacy skills and proficiency three times a year as well as regular progress monitoring throughout the year. In addition to DIBELS, students are administered a kindergarten math screener created by Boulder Valley (see Appendix II) as well as embedded end of unit assessments within the Engage NY and CKLA curriculums.

**Language:**

Students received daily oral language development using Lexia online and through our CKLA curriculum. HOPE Kindergartners, identified as second language learners are assessed using WIDA to determine language readiness and needs and again midyear with ACCESS to monitor language development. Students are also assessed using the Developmental Language Learning Progressions (DLLP). All students also participate in the Burst Vocabulary assessment to determine vocabulary skills and deficits.

Assessment is gathered through the Kindergarten readiness checklist (see Appendix I), formal program progress assessments, daily formative exit tickets in the curriculum and formal data gathering using the DLLP rubrics.

**Social/Emotional and Physical:**

Students participate in daily structured physical education classes. Students are observed and monitored to ensure their physical/motor instruction needs are met and each student continues to make progress. Students participate in art and music activities as well as sports opportunities provided through HOPE. Students use technology skills daily and access online technology daily as a part of their blended learning curriculum.

Assessment to monitor development is gathered using the Kindergarten readiness checklist (see Appendix I) based on appropriate developmental guidelines and Colorado State standards in the area of physical well-being and motor development. Kindergarten students are assessed using an observation checklist to note social/emotional as well as physical needs and skills.

Students who are not making adequate progress on any measures are identified for RtI/MTSS support. This may include additional instruction and/or intervention instruction in the area of need. READ Plans are developed for identified students as outlined by state guidelines. These plans include results of formal assessments, informal assessments and developmental checklists as well as goal setting and related objectives. READ Plans are housed within Alpine and the Amplify website houses benchmark and formative progress monitoring data. Students who do not respond to intervention may be referred to HOPE's special education department for additional planning of support and/or for further assessment.

**Readiness Plan:** Based on the collected data, readiness plans are developed to support students in moving forward in development. READ and or ELL plans outline specific cognitive and language goals and outcomes and Social Emotional and/or Physical goals and strategies will be included for students with noted deficits. Interventions are provided regularly by Title I reading specialists, ELL support personnel, special education service providers and/or classroom mentors.

**Plan:** HOPE uses its own evaluation system, as described above, as agreed to in the Charter School Agreement with Douglas County Schools District. HOPE's system will continue to meet the intent of the law as outlined in statute.

**Duration of Waivers:** We request the waiver be in effect for the duration of our contract with Douglas County RE-1.

**Financial Impact:** HOPE anticipates that the requested waiver will have no financial impact upon the Douglas RE-1 or the HOPE Online Learning Academy 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 HOPE Online Learning Academy Charter School contract.

**Expected Outcome:**

With this waiver, HOPE will be able to spend more time reviewing the teacher evaluation data for important, internal use to promote effective teaching. The school will be able to implement its current assessment program and design interventions for Kindergartners based on readiness skills.

**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 charter school will prescribe the actual details of its own school calendar to best meet the needs of its students while meeting or exceeding the State's minimum number of teacher-pupil instruction and contact hours and/or days. The charter school 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 the HOPE Governing Board and will meet or exceed the expectations in state statute. Prior to the conclusion of a school year, a copy of the next school year calendar will be provided to the parents/guardians of all students enrolled at HOPE. Any changes in the calendar, excluding changes resulting from emergency closings or other unforeseen circumstances, will be provided to parents with adequate and timely notice.

**Duration of Waivers:** We request the waiver be in effect for the duration of our contract with Douglas County RE-1.

**Financial Impact:** HOPE anticipates that the requested waiver will have no financial impact upon the Douglas RE-1 or the HOPE Online Learning Academy budget.

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

**Expected Outcome:** As a result of this waiver, HOPE will be able to implement a calendar and daily schedule that allows it to achieve its objectives in student achievement and student/staff growth.

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

**Statutory Citation and Title:**

**22-32-109(1)(n)(II)(B), C.R.S. - Board of Education – Specific Duties: Identifying principals that require further training**

**Rationale:** HOPE is responsible for its own personnel matters including employing individuals under its own terms and conditions, policies and procedures and development/training of staff.

**Replacement Plan:** HOPE is responsible for all employment and hiring matters, rather than Douglas County RE-1. HOPE's administration structures professional development that aligns with HOPE's staffing needs.

**Duration of Waivers:** We request the waiver be in effect for the duration of our contract with Douglas County RE-1.

**Financial Impact:** HOPE anticipates that the requested waiver will have no financial impact upon the Douglas RE-1 or the HOPE Online Learning Academy budget.

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

**Expected Outcome:** As a result of this waiver, HOPE will be able to identify training needs for all staff, including principals.

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

**C.R.S. §22-63-202 Teacher Employment, Compensation and Dismissal Act-Contracts in writing, damage provision**

**C.R.S. §22-63-203 Teacher Employment, Compensation and Dismissal Act,**

**C.R.S. §22-63-203.5 Probationary Teachers-Renewal and non-renewal of employment contract**

**C.R.S. § 22-63-206 Teacher Employment, Compensation and Dismissal Act**

**Rationale:** The charter school should be granted the authority to develop its own employment offer letters 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. The charter school is granted the authority under the Charter School Agreement to select its own teachers. HOPE teachers are employed by HOPE, not Douglas County RE-1. As such, the authorizer should not have the authority to transfer its teachers into the charter school or transfer teachers from the charter school to any other schools, except as provided for in the Charter School Agreement.

**Replacement Plan:** Offer letters are submitted to staff at the time of their employment. HOPE Online Learning Academy 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. The school will hire teachers on a best qualified basis. There is no provision for transfers.

**Duration of Waivers:** We request the waiver be in effect for the duration of our contract with Douglas County RE-1.

**Financial Impact:** HOPE anticipates that the requested waiver will have no financial impact upon the Douglas RE-1 or the HOPE Online Learning Academy budget.

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

**Expected Outcome:** As a result of this waiver, HOPE will be able to hire employees on an at-will basis and to determine if individuals are eligible for retention or re-hire in future years.



# HOPE

ONLINE LEARNING ACADEMY

## HOPE Kindergarten Readiness Observations

Date \_\_\_\_\_ Student's Name \_\_\_\_\_

Center \_\_\_\_\_ Home language \_\_\_\_\_

Mentor \_\_\_\_\_

### Language Readiness (Domain 1):

FALL

\_\_\_\_\_ IP (Not EL Speaks in 5-6 word sentences)

\_\_\_\_\_ PP (LEP or Not EL some language delay or inconsistent language )

\_\_\_\_\_ NP (NEP or Not EL with significant language delay or limited language)

SPRING

\_\_\_\_\_ IP

\_\_\_\_\_ PP

\_\_\_\_\_ NP

### Scoring

IP-In Place-students can demonstrate skill with ease (3 points)

PP-Partial Performance-student can demonstrate part of the skill (2 points)

NP-Not in Place-student is not able to demonstrate part or all of the skill requirements (1 point)

Cognitive Readiness (Domain 2)			
Indicator	Fall Points	Spring Points	Notes
Sort objects (e.g. sort pencils from books)			
Match colors and shapes			
Identify colors (red, blue, yellow, green, orange, purple)			
Name colors (red, blue, yellow, green, orange, purple)			
Recognize circle, square, triangle			
Name circle, square, triangle			
Recognize own name in print			
Name letters in name			
Write name			
TOTAL POINTS			
PROFICIENCY LEVEL			IP=25-27 POINTS 16 OR LESS
			PP=17-24 POINTS
			NP=

**Scoring** IP-In Place-students can demonstrate skill with ease (3 points)  
 PP-Partial Performance-student can demonstrate part of the skill (2 points)  
 NP-Not in Place-student is not able to demonstrate part or all of the skill requirements (1 point)

<b>Physical Readiness (Domain 3)</b>			
<b>Indicator</b>	<b>Fall Points</b>	<b>Spring Points</b>	<b>Notes</b>
Hold pencil			
Draw lines, letters			
Demonstrates gross motor skills (running, jumping, climbing)			
Demonstrates fine motor skills (pencil grip, shoe tying, uses scissors)			
Demonstrates balance and coordination			
<b>TOTAL POINTS</b>			
<b>PROFICIENCY LEVEL</b>			<b>IP=14-15 POINTS    PP=10-13 POINTS    NP= 9 OR LESS</b>

**Scoring** IP-In Place-students can demonstrate skill with ease (3 points)  
 PP-Partial Performance-student can demonstrate part of the skill (2 points)  
 NP-Not In Place-student is not able to demonstrate part or all of the skill requirements (1 point)

<b>Social Emotional Readiness (Domain 4)</b>			
<b>Indicator</b>	<b>Fall Points</b>	<b>Spring Points</b>	<b>Notes</b>
Interacts with peers			
Balances needs of self and others			
Solves social problems			
Manages feelings			
Demonstrates persistence in problem solving			
Able to care for self (dress, health, organization)			
Follows multi step directions			
<b>TOTAL POINTS</b>			
<b>PROFICIENCY LEVEL</b>			<b>IP=19-21 POINTS    PP=14-18 POINTS    NP= 13 OR LESS</b>

**Scoring** IP-In Place-students can demonstrate skill with ease (3 points)  
 PP-Partial Performance-student can demonstrate part of the skill (2 points)  
 NP-Not In Place-student is not able to demonstrate part or all of the skill requirements (1 point)

General Knowledge Math (Domain 5)			
Indicator	Fall Points	Spring Points	Notes
Count to 10 (#1)			
Numeral Recognition (#2)			
Numeral Identification (#3)			
Count up to 7 objects (#4)			
TOTAL POINTS			
PROFICIENCY LEVEL			IP=10-12 POINTS    PP=7-9 POINTS    NP= 6 OR LESS

General Knowledge Literacy (Domain 6)			
Indicator	Fall Status	Spring Status	Notes
DIBELS Composite (R)Red, (Y)Yellow, (G)Green, (B) Blue			
PROFICIENCY LEVEL			IP=Blue or Green    PP=Yellow    NP= Red

Fall: Total # of Domains where student demonstrates proficiency (In Place: IP) \_\_\_\_\_ out of 6

Spring: Total # of Domains where student demonstrates proficiency (In Place: IP) \_\_\_\_\_ out of 6

# HOPE

ONLINE LEARNING ACADEMY

## Kindergarten Readiness Assessment – Mathematics Questions

(taken from Kindergarten Math Screener created by Boulder Valley Math Department and adapted from Add+Vantage Math Recovery©)

### 1. "Start counting from 1 and I'll tell you when to stop."

(Score task based on ability to count to ten. Teachers may allow student to count beyond 10 if it is informative) (Counts to \_\_\_\_\_). If student is unsuccessful on first attempt ask student to count again.

- Correct 1st attempt (3 pts.)
- Correct on 2<sup>nd</sup> attempt or not fluent (2 pts.)
- Unsuccessful (1 pt.)

### 2. Numeral Recognition

Show the card (3 % B) "Which of these is a number?"

- Correct
- Incorrect

Show the card (T 2 &), "Which of these is a number?"

- Correct
- Incorrect
  
- Both correct (3 pts.)
- One correct (2 pts.)
- Neither correct (1 pt. )

**3. Numeral Identification Cards:** Place the cards in front of the student one at a time (not in numerical order). Say, "Read this card to me." (check if correct; record incorrect answers.)

8 \_\_\_\_\_ 5 \_\_\_\_\_ 3 \_\_\_\_\_ 6 \_\_\_\_\_ 2 \_\_\_\_\_  
 7 \_\_\_\_\_ 9 \_\_\_\_\_ 1 \_\_\_\_\_ 4 \_\_\_\_\_ 10 \_\_\_\_\_

- All correct (3 pts.)
- 7 - 9 correct (2 pts.)
- 6 or fewer correct (1 pt.)

**4. Put out 7 red counters and ask, "How many counters are here?"** If student is incorrect, have them attempt again.

- Correct on first attempt (3 pts.)
- Correct on 2<sup>nd</sup> attempt (2 pts.)
- Unsuccessful (1pt.)