CHARTER SCHOOL CONTRACT - JAMES IRWIN CHARTER ACADEMY

Attachment 7: Additional Waiver Requests State Laws and/or Regulations

JAMES IRWIN CHARTER ACADEMY WAIVERS

Non-Automatic Waivers from State Statutes

Contact Information

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

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

Rationale: The school is a data-driven school that is constantly evaluating and assessing students' academic readiness, character development, and physical well-being in order to ensure student success. The school already has strong programs and assessments in place that assess students' physical well-being, social-emotional development, language and comprehension development, cognition, and knowledge.

Replacement Plan: The school will administer a school readiness assessment to each kindergarten student at the school within the first 60 calendar days of the school year. The assessment instrument(s) used is/are research-based, reliable, and valid. Methods and assessments used are clear and relevant and have the goal of improving student academic growth and meet the intent of the quality standards established in CRS 22-7-1014(2)(a). The data collected from these assessments is used to develop an individualized readiness plan for each kindergarten student and informs programming accordingly. This school readiness data will not be used to deny admission to first grade. The data collected will be made readily available to the District 11 ("D11"). D11 and the school will report this data, as required by State law.

Plan: JICA offers a full day kindergarten program that utilizes effective, research-based curriculum in addition to the Core Knowledge scope and sequence. JICA's readiness assessment will be valid, research-based, and reliable.

- 1. Social-Emotional Skills and Development
 - Students are instructed in the positive behavior management system designed by the school. This positive behavior management system is in place in each classroom, on the playground, in the cafeteria, and hallways. Students are rewarded for the positive

behavior they demonstrate throughout each day. Various positive behavior techniques are implemented in each classroom. These include: a colored behavior chart, individual behavior/motivation charts, creating an environment of high praise, and whole-class games/rewards. These techniques are implemented to help strengthen self-regulation and executive-functioning skills that help students: remember instructions, follow directions, attend to tasks, and control their impulses.

- Students are instructed in the Character First curriculum that highlights character traits. This curriculum helps students develop social and emotional skills by learning how to apply different character traits in their daily interactions.
- Students regularly participate in group or partner games/activities/discussions. This allows students the opportunity to share, get along with others, politely share their opinions, listen to others, and help others.
- Students record their "behavior color" at the end of each day. Any infractions
 accumulated throughout the day are recorded on a Learning Plan (a home/school
 communication form) so parents are aware of student behaviors. Learning Plans are
 saved throughout the year and remain in student files. Documentation from student
 reports will track progress in social/emotional domains, and extra support will be
 provided to students who are in need.

Students who lack appropriate social-emotional skills in the classroom are given supports (sticker charts/reward program/structured daily practice, treasure chest, special privileges/duties) to overcome deficits. Progress is monitored on an ongoing basis until a child is able to develop the desired skill or a new method of incentivizing the student is needed. Progress is monitored and written down on a Response to Intervention sheet (which is kept in the student file).

- Students who change a color for the same infraction 3 or more times a week for 3 or more consecutive weeks will be considered lacking in that particular area of social/emotional development, and previously mentioned interventions will be put in place. Students who meet or exceed 80% of the social/emotional objectives by spring time will be considered at grade-level.
- Assessment information is gathered from classroom teacher observations based on appropriate developmental guidelines and Colorado state standards, as well as from the Learning Plan which documents daily behavior. Students who show fewer than 3 color changes a week for a period of 3 consecutive weeks will demonstrate school readiness. Student data is recorded the end of each quarter and kept in an Excel Spreadsheet. Students will receive a 1 (needs improvement) or a 2 (satisfactory) in the area of socialemotional development at the end of each quarter.
- 2. Physical Skills and Development
- Students participate weekly in a structured physical education class that meets or exceeds state standards. Students are assessed on motor-development skills acquired throughout the year. Students participate in The President's Challenge as part of their physical education class in the fall and again in the spring to measure motor development and growth. Students who successfully perform 80% of the tasks by spring time will be considered on grade level.
 - Students participate in several monitored recess times throughout the day. During these times, students are encouraged to engage in physical activities that include: running, jumping, climbing, swinging, imaginative play, and ball handling. Teacher observations of students' play during recess is used as a measure of school readiness.
 - Students participate weekly in an art education class that meets or exceeds state standards. Development of fine motor skills is achieved through: drawing, painting, cutting, gluing, and manipulating small objects. Students are assessed on fine motor skill development acquired throughout the year.

- Students participate weekly in a music education class that meets or exceeds state standards. Students participate in a variety of movement and rhythm exercises during music instruction. Students are assessed on acquired skills throughout the year.
- Students participate in daily cursive lessons which develop fine motor skills. Students are assessed on the development of their penmanship/motor skills on a daily basis. All students use a tri-pod pencil grip to help develop hand muscles. Students who enter school with noticeable deficits in the ability to properly hold a pencil are given hand-overhand support during writing lessons. Parents are made aware of the area of struggle and encouraged to use a pencil grip with assistance at home.
- Assessment information is gathered from classroom teacher observations based on appropriate developmental guidelines and state standards in the area of physical wellbeing and motor development. Students are given a grade of 1 (needs improvement), 2 (satisfactory), or 3 (exemplary) in the areas of physical education, art, and music. Students who earn a 1 in any of the areas will be given interventions that are outlined below. Student data is recorded at the end of each quarter and kept in an Excel Spreadsheet.
- 3. Language Skills and Development

A) Using verbal and nonverbal communication

- JICA employs several programs to extend students' verbal and nonverbal experiences and instruction.
- Frequent verbal interactions in responding to instruction. Students are given frequent opportunities to respond verbally to their teachers. This is done in a group, which promotes a high-trust and safe environment, where any mistakes are not singled out, but where students can hear the teacher's words, then hear other students respond with themselves.
- Students have many opportunities to use meaningful gestures in higher level language which supports and increases their comprehension of how to use those terms and vocabulary in their everyday communication.
- Teachers instruct the students using different modalities to provide students with a broad cognitive experience in the English language, via visual/kinesthetic/auditory/tactile/etc. instruction: chants, jingles, rhyming songs for phonemic development, movement songs, drawing pictures to express comprehension.
- Teachers engage students in comprehension activities in which students explain what they understand, predict what they think will happen next, identify sequencing (cause-effect, chronology), or creative ideas.

B) Effectively negotiate with peers

- Students learn to take turns and share high-interest items during the daily Centers Time and at recess.
- Students are taught basic civility in daily routines: e.g., saying "excuse me" when they bump into another child; "I'm sorry" when they intentionally or inadvertently cause discomfort to another student, etc. Students regularly use "yes, ma'am" and "no ma'am" when responding to their teachers. Students are taught how to use the *Four Part Apology* with each other, so that they express empathy for the other student's feeling and perspectives.
- Students learn a vast array of social skills, emotional self-regulation skills, and self-determination experiences in the Character First program. They learn a monthly social skills/character concept, with various applications for how this trait can be expressed in self-regulation and social relationships: E.g., in learning about "gratefulness," students have a science and/or history connection with an animal or historical character, who displays behaviors to remind them of this trait. Then students learn to apply gratefulness, for instance, by learning "to say thank you for their food, clothing, shelter, and the many 'extra' things they enjoy such as toys, books, a

bicycle, games, music lessons, and the ability to live in a free country. They also learn to apply this trait in tangible ways, via the **I WILL** statements: **I Will**

- A. Appreciate the people in my life.
- B. Say "please" and "thank you."
- C. Enjoy what I have instead of complaining about what I don't have.
- D. Take care of my belongings.
- E. Write thank you notes.

C) Integrate vocabulary in increasingly complex ways

- Vocabulary development is explicitly provided with the Read Aloud Library program. With this
 curriculum, students are taught a wide variety of vocabulary words selected from enriching
 children's stories. Games, songs, and activities are used to instruct students in the use of target
 words
- Domain language: Students are taught domain specific words and concepts for history, geography, or science to increase their verbal interactions about the world around them.
- Memorization of engaging poetry and important speeches: Students also learn more complex terms and vocabulary in context, and learn how to speak them with appropriate age-level aspects in enunciation, clarity and articulation, and expression: e.g., portions of *The Night Before* Christmas, the Gettysburg Address, etc

4. Cognitive Skills and Development

- For science, we follow the Core Knowledge sequence. Students are instructed on various topics including: animals and their needs, the human body (including taking care of themselves through diet, exercise, cleanliness, and rest), magnetism, scientist biographies, seasons and weather, plant growth, and conservation.
- For history and geography, we follow the Core Knowledge sequence. Students are
 instructed in various topics including: special sense (working with maps and globes), the
 seven continents and five oceans, the fifty states and capitals, early explorers (the
 Pilgrims and the voyage of Christopher Columbus), presidents- past and present
 (George Washington, Thomas Jefferson, Abraham Lincoln and current United States
 President), and U.S. symbols (American flag, Statue of Liberty, bald eagle, The White
 House, The Liberty Bell, Uncle Sam).
- Assessment information is gathered from formal curriculum assessments as well as
 classroom teacher observations based on appropriate developmental guidelines and
 state standards. Teacher observations will include the following cognitive skills and
 developmental criteria: students can develop working memory skills—problem solving,
 remembering multiple tasks, rules, and sources of information; students can 'switch
 gears' to apply different rules in different settings (inside and outside voices); and
 students can try different strategies until they find one that works. Students will receive a
 1 (needs improvement), 2 (Satisfactory), or 3 (exemplary). Students who earn a 2 or 3
 are considered on track for school readiness. Student data is recorded the end of each
 quarter and kept in an Excel Spreadsheet.

5. Literacy

 Students receive 60 minutes of formal reading instruction each day using the Reading Mastery curriculum. This is a comprehensive program for reading, listening, and speaking that builds vocabulary and knowledge. Students master sounds and blending techniques for fluent decoding and encoding. Students develop comprehension skills through daily story reading and daily worksheet completion. Students are assessed daily through the immediate correction and recording of errors. Students are formally assessed after every five lessons to determine mastery of information before moving on.

- i. Upon entering kindergarten, each student is given an assessment to determine reading group placement.
- ii. Students are given formal curriculum assessments after every 5 lessons. Students must earn an 85% or higher on each assessment to be considered at mastery. Students who do not meet mastery requirements will be given extra supports through: guided practice, flash cards, and repeating lessons. Students will then be reevaluated to see if mastery has been gained.
- iii. Reading data is collected on each student during each reading session. Specific student errors are recorded in order to provide appropriate support to each student. Error data is saved in a file for the duration of the year.
- iv. Students must meet certain grade-level benchmarks (be at a specific lesson within the reading curriculum) at the end of each quarter, earning an 85% or higher to be considered at mastery.
- Students are instructed in the Read Aloud Library vocabulary curriculum. With this
 curriculum, students are taught a wide variety of vocabulary words selected from
 enriching children's stories. Games, songs, and activities are used to instruct students in
 the use of target words.
- Students are exposed to a wide variety of Core Knowledge literature including: nursery rhymes, Aesop's fables, classic children's stories, and expository texts. Children participate in oral reading daily as well as memorization of rhymes and poems.
- Students learn sentence development through: Shurley Grammar jingles, A Beka Oral Language Exercises, Step Up To Writing paragraph frames, and an introduction to Adventures in Language.
- The *DIBELS Next* assessment is administered four times per year. The first assessment is given within the first 30 days of school to gain baseline data on each student. Any student who does not meet benchmark standards is progress monitored using *DIBELS Next* progress monitoring probes weekly or bi-weekly to record and determine progress. If a student scores well below benchmark on two consecutive administrations of the assessment, he/she is placed on a READ plan and given an additional 90 minutes of small group instruction through tutoring. Students who are on a green tier demonstrate school readiness.
- Assessment information is gathered from formal curriculum assessments as well as classroom teacher observations based on appropriate developmental guidelines and state standards. Student data is recorded the end of each quarter and kept in an Excel Spreadsheet.

6. Math

Students receive 30 minutes of daily math instruction using the Connecting Math Concepts
curriculum. Student progress is observed on a daily basis through workbook performance, and
formal assessments are given every seven and ten lessons to monitor progress. Students must
earn an 85% on all formal assessments to be considered at mastery. Students not meeting
mastery requirements in any of the general knowledge areas will be given extra supports in the
classroom.

Assessments- Formal assessments given in reading and math must be at 85% or higher for a student to have reached mastery of the reading and math curriculum.

All other assessments will simply indicate "satisfactory" (a score of 2), or "needs improvement" (a score of 1), for the overall score. Areas where satisfactory/needs improvement will be given are: physical well-being and motor development (PE class), music education, art education, cursive lessons, social-emotional development, science, history and geography. Students who receive a 1 (needs improvement) will receive interventions previously stated until grade-level/school readiness is achieved.

Any student not making adequate growth in any of the above areas will receive support through one or more of the following strategies:

- Flexible, fluid, homogenous small group instruction
- Additional repetition/practice
- Students must meet mastery expectations (85%) before moving on to new lessons
- If 1/3, or more, of the group has not mastered an assessment, the lesson is retaught to reach mastery
- Each students' progress is discussed weekly by the team to determine effectiveness of interventions
- 1-on-1 Tutoring
- Weekly or bi-weekly progress monitoring with *DIBELS Next*

Students requiring more support are referred to our Response to Intervention team called Kid Talk. The Kid Talk team develops and coordinates interventions to support students. This information is housed with our Kid Talk coordinator. Progress updates are communicated to parents quarterly and through our Kid Talk team as deemed necessary.

If students do not respond with adequate growth following these interventions they may be referred to a Physical/Occupational Therapist; Psychologist; Speech/Language Therapist, SPED Teacher; or Counselor or Mental Health Therapist for further assessment. These assessments are housed with the SPED coordinator unless they are part of an IEP which would be housed in Infinite Campus which is an internet based student data management system.

Student data is collected quarterly in kept in an Excel Spreadsheet. The data collected indicates each students' rating of 1 (needs improvement), 2 (satisfactory), or 3 (exemplary) in the areas of: Physical Well-Being and Motor Development, Social-Emotional Development, Cognition and General Knowledge, and a percentage score in the areas of Reading (Language and Comprehension Development) and math. The spreadsheet also shows each students' scores in the *DIBELS Next* Assessment.

JICA's methods and assessments used are clear and relevant and have the goal of improving student academic growth, and meet the intent of the quality standards established in State Statute 22-7-1014(2)(a) and Senate Bill 08-212. JICA will administer assessments that meet the intent of the law within the first 60 days of the school year and will utilize the results of the assessment to develop individualized readiness plans for students. Results of the school readiness assessment will not be used to deny a student admission or progression to first grade.

Duration of Waivers: The duration of the contract.

Financial Impact: The school anticipates that the requested waivers will have no financial impact on D11 or the school.

How the Impact of the Waivers Will be Evaluated: The impact of this waiver will be measured by the performance criteria and assessments that apply to the school.

Expected Outcome: As a result of this waiver, the school will be able to implement the necessary policies to increase student achievement within existing structures.

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)(I) Commissioner-Duties

Rationale: The school and its Principal or designee must have the ability to perform the evaluation of all personnel. Should any other designated administrator not have a Principal License, this should not preclude him or her from administering the evaluations under the direction of the Principal. The Board of Directors must also have the ability to perform the evaluation for the school leader. Additionally, the 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)(I), but will still report on in-field/out-of-field.

Replacement Plan: Instead, the school uses its own evaluation system that meets the intent of the law as outlined in statute. Staff are annually trained in this evaluation system. The methods used for the school's evaluation system include quality standards that are clear and relevant to the administrators' and teachers' roles and responsibilities, are based on research-based practices guiding the science of reading, 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 D11 or the school.

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.

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)(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

C.R.S. § 22-32-109(1)(n)(II)(A) Board of Education – Teacher Pupil Contact Hours

Rationale: The school year at the school will total approximately 177 days per year, which exceeds the current contact hour requirement in state statute. The school will always meet at least the minimum required time as detailed in state law.

Replacement Plan: 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 geographic district. The final calendar and the school's daily schedule will be designed by the school's Board of Directors and will meet or exceed the requirements in state statute. In accordance with District 11 ("D11") policy, the school will submit its calendar annually to D11 for review and will not make any material modifications to the calendar without notification to D11.

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 D11 or the school.

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

Rationale: The school will be responsible for its own contracting for goods and services in accordance with state law.

Replacement Plan: The school will follow accounting policies and procedures that comply with generally accepted accounting principles (GAAP). Procurement of goods and services shall be made by the school's governing board and school leader in the best interests of the school, upon considering the totality of the circumstances surrounding the procurement, which may include but not be limited to price, quality, availability, timelines, reputation, and prior dealings. The school will be responsible for establishing procedures for competitive bidding, as required by applicable law, and for selecting successful bidders on projects/contracts. The school will ensure the process is open, transparent, and in compliance with all applicable rules and regulations.

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 D11 or the school.

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 select all goods and services in accordance with the terms and conditions set forth in the charter contract. As a result of this waiver, the school will be able to carry out its educational program, administer its affairs in an efficient manner, and accomplish its mission as set forth in the charter contract.

C.R.S. § 22-32-110(1)(y) Local Board Powers – Accept Gifts and Donations

Rationale: In accordance with state law, the school will be responsible for determining its own budget and issues associated therewith.

Replacement Plan: The school will not accept any gift or donation if the acceptance of said gift or donation is in violation of law, its charter contract, or any ethical or conflict of interest policies of the school.

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 D11 or the school.

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 carry out its educational program, administer its affairs in an efficient manner, and accomplish its mission as set forth in the charter contract.

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

C.R.S. § 22-33-105(7)(b) Process for Disciplinary Appeals

Rationale: As a District 11 ("D11") charter school, the school's governing board must have the ability to hear disciplinary and related appeals under C.R.S. § 22-33-105(2)(c).

Replacement Plan: The charter contract delegates the authority to implement the School Attendance Law of 1963 to the school administration, which is consistent with state law; however, as opposed to the Colorado District 11 ("D11") carrying out the functions of a school district and its board, the governing board of the school will carry out those functions. To ensure that the school is meeting the intent of the law, the school will involve its legal counsel and D11 in any appeals to the governing board to ensure that students are being afforded appropriate due process. The school will develop a policy for carrying out the requirements of C.R.S. § 22-33-105 for review and approval by D11. In addition, the school will report expulsion data pursuant to C.R.S. § 22-33-105(2.5).

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

Financial Impact: The school anticipates that the requested Waiver will have minimal financial impact on the school and no financial impact on D11.

How the Impact of the Waivers Will be Evaluated: The school will be required to record all data involving suspensions and expulsions with access for review by both D11 and the school's governing board. In addition, the school's governing board will develop policies and procedures for suspensions, expulsions, and denial of admission for review and approval by D11.

Expected Outcome: The outcome will be a fair and supportive process for the school to make appropriate determinations regarding the School Attendance Law of 1963 at the local level, with administrative oversight by D11.

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

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

Rationale: The 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.

Replacement Plan: The 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. All employees of the school will be employed on an at-will basis. All employees of the school will meet applicable fingerprinting and background check requirements. All 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. Special Education Teachers will hold the requisite state license and endorsement. The 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 D11 or the school.

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, the 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 Act; Contracts in Writing, Damage Provision C.R.S. § 22-63-203 Probationary Teachers; renewal and non-renewal of employment contract; Specific Duties.

Rationale: The school should be granted the authority to develop its own employment agreements and terms and conditions of employment. The school 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 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 a more traditional public school will be successful at the school. All employees of the school will be employed on an at-will basis.

Replacement Plan: Employment at the school will be on an at-will basis. Continued employment will be subject to a satisfactory performance evaluation(s) consistent with the employment policies and procedures created and adopted by the school Governing Board.

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 D11 or the school.

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, the school will be able to employ professional staff possessing unique skills and/or background filling all staff needs as they arise.