



COLORADO

Department of Education

Innovation, Choice, and
Engagement Division

Charter School Waiver Request Form

(Updated December 2014)

The following automatic waivers have been granted to all charter schools pursuant to Colorado Revised Statutes § 22-2-107 (1) (c), § 22-2-106 (1) (h) and HB 14-1292. No documentation is required by the state for waivers from the following statutes:

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

For any non-automatic waiver requests, please provide electronic (PDF) versions of the following:

- A signed copy of the charter contract, renewal or extension between the charter school and its authorizer, including a complete list of requested waivers as an appendix.
- Waiver Request Form-complete, typed and signed by both the school and its authorizer
- A Rationale and Replacement Plan (RRP) for each non-automatic waiver being requested. A sample RRP can be found [here](#).

Please be advised that the following waivers are no longer considered automatic:

State Statute Citation	Description
22-9-106, C.R.S.	Local board duties concerning performance evaluations
22-32-109(1)(n)(I), C.R.S.	Local board duties concerning school calendar
22-32-109(1)(n)(II)(B), C.R.S.	Adopt district calendar
22-63-201, C.R.S.	Teacher Employment Act-Compensation & Dismissal Act-Requirement to hold a certificate
22-63-202, C.R.S.	Teacher Employment Act- Contracts in writing, damage provision
22-63-203, C.R.S.	Teacher Employment Act- Requirements for probationary teacher, renewal & nonrenewal
22-63-206, C.R.S.	Teacher Employment Act-Transfer of teachers

Charter School Information:

Charter School Name: Lincoln Academy

Charter school mailing address:

Street: 7180 Oak Street

City: Arvada

Zip Code: 80004

Charter school contact name: Janelle Johnson

Title: Principal

Phone: (720)-456-7203 EXT: _____ Email address: jaljohns@jeffco.k12.co.us

Projected or current enrollment: 684 Grades served: Lowest: PreK Highest: 8

Term of the charter contract: 06 / 30 / 2015 (MM/DD/YY) through June 30, 2020 (YYYY)

Enter the year the charter school originally opened: 1997 (YYYY)

Waiver request prepared for the charter school by: Janelle Johnson

Phone: (720)-456-7203 EXT: _____ Email: jaljohns@jeffco.k12.co.us

Authorizer Information:

☐ Charter School Institute ☐ Name of local school district: Jeffco

Authorizer's mailing address:

Street: 1829 Denver West Dr. Bldg. #27

City: Golden

Zip Code: 80401

Authorizer contact name: Tim Matlick

Title: Achievement Director of Charter Schools

Phone: (303)-982-6610 EXT: _____ Email address: tmatlick@jeffco.k12.co.us

Please list the non-automatic waiver(s) from statute and rule that are being requested below:

CRS 22-9-106, 22-32-109(1)(n)(I), 22-32-109(1)(n)(II)(B), 22-63-201, 202, 203, & 206,
22-7-1014(2)(a), 22-2-112(1)(9)(I)

Required Signatures

TIM MATLICK
Authorizer Contact (Print Name)

8-4-15
Date


Signature-Authorizer Contact

Douglas C Neely
Charter School Contact (Print Name)

6/19/15
Date


Signature-Charter School Contact

Rationale and Replacement Plan for Waiver from State Statute and Rules

Basic Information:

School Name: Lincoln Academy Charter School

School Address: 7180 Oak Street, Arvada CO 80003

Charter School Contact: Janelle Johnson

Charter School Contact Email Address: jaljohns@jeffco.k12.co.us

District Contact: Tim Matlick

District Contact Email Address: tmatlick@jeffco.k12.co.us

Rationale and Replacement Plan

22-9-106, C.R.S. Performance evaluations for licensed personnel

Rationale: The Lincoln Academy Charter School governing board conducts teacher evaluation methods in compliance with the charter school contract. This evaluation plan evaluates performance areas: professional preparation and growth, human relations, professional techniques and professional conduct. In addition to this system of evaluation, teachers are rewarded for overall student academic achievement.

Replacement Plan: The governing board employs its own personnel, which includes evaluating their performance. Teachers will be held accountable to the Principal of Lincoln Academy Charter School and the board of Lincoln Academy Charter School. At a minimum, the evaluation system will consist of the procedures adopted by the Principal and adopted as policy by the Board of Directors. Lincoln Academy Charter School uses its own evaluation system as agreed to in the Charter School Agreement with the Jeffco School District. Lincoln Academy's evaluation system will continue to meet the intent of the law as outlined in statute. Staff has been trained in this evaluation system and the methods used for Lincoln Academy'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.

Financial Impact: Lincoln Academy Charter School anticipates that the requested waivers will have no financial impact upon the school or the District.

Duration of the Waivers: This waiver should be in effect for the term of the charter contract with the District, or through June 30, 2020.

How the Impact of the Waivers Will be Evaluated: The District will monitor this through annual Accreditation.

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

22-32-109(I),(n) (II)(B), C.R.S. School calendar; contact hours; district calendar; textbook and curriculum

Rationale: The Lincoln Academy Charter School governing board is responsible for its own operations, which includes the school calendar, ensuring the minimum number of teacher-pupil contact hours, and textbook and curriculum selection. Responsibility for compliance with these laws rests with the Principal and supported by the governing board.

Replacement Plan: The governing board has board policy to ensure compliance with these state laws. The school will ensure that it meets at least the minimum number of days as outlined by the statute.

Financial Impact: Lincoln Academy Charter School anticipates that the requested waivers will have no financial impact upon the charter school or the District.

Duration of the Waivers: This waiver should be in effect for the term of the charter contract with the District, or through June 30, 2020.

How the Impact of the Waivers Will be Evaluated: The District will monitor this through annual Accreditation and the Automated Data Exchange.

Expected Outcome: Lincoln Academy Charter School will be able to operate with its own calendar in alignment with its approved educational program.

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

Rationale: The Lincoln Academy Charter School governing board, 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 governing board will employ its own personnel, which includes evaluating their performance. In addition, Lincoln Academy understands that all core content teachers still must meet the Highly Qualified requirements.

Financial Impact: Lincoln Academy Charter School anticipates that the requested waivers will have no financial impact upon the charter school or the District.

Duration of the Waivers: This waiver should be in effect for the term of the charter contract with the District, or through June 30, 2020.

How the Impact of the Waivers Will be Evaluated: The District will monitor this through annual Accreditation.

Expected Outcome: Lincoln Academy Charter School 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 Lincoln Academy Charter School employs its own at-will staff, these statutes are irrelevant.

Replacement Plan: The Lincoln Academy Charter School governing board is solely responsible for determining staff selection, assignment and compensation.

Financial Impact: Lincoln Academy Charter School anticipates that the requested waivers will have no financial impact upon the charter school or the District.

Duration of the Waivers: This waiver should be in effect for the term of the charter contract with the District, or through June 30, 2020.

How the Impact of the Waivers Will be Evaluated: The District will monitor this through annual Accreditation.

Expected Outcome: The Lincoln Academy Charter School governing board will be responsible for implementing the educational program design as detailed in the charter school application. This includes all staff matters.

STATUTE DESCRIPTION AND RATIONALE

22-2-112(1)(9)(I) Subject to the supervision of the State Board, the Commissioner has the following duties to assist the state board in reviewing the content of educator preparation programs offered by

institutions of higher education within the state. In so doing, the commissioner shall direct the department to collaborate with the department of higher education to prepare an annual report on the effectiveness of educator preparation programs

Rationale: Lincoln Academy Charter School or principal must have the ability to perform the evaluation of all personnel. Should any other designated administrators not have a Type D certificate, this should not preclude him or her from administering the evaluations under the direction of the principal. Additionally, Lincoln Academy Charter School will 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)(9)(I)

Replacement Plan: Lincoln Academy Charter School uses its own evaluation system as agreed to in the Charter School Agreement with the Jeffco School District. Lincoln Academy's evaluation system will continue to meet the intent of the law as outlined in statute. Staff has been trained in this evaluation system and the methods used for Lincoln Academy'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. Lincoln Academy will not be required to report their teacher evaluation data; however, teacher performance 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 22-11-503.5 as this is a non-waivable statute.

Duration of the Waiver: Lincoln Academy Charter School requests that the waiver be for the duration of its contract with Jefferson County School District R-1. Therefore, the waiver is requested until June 30, 2020.

Financial Impact: Lincoln Academy Charter School anticipates that the requested waiver will have no financial impact upon Jefferson County School District R-1 or Lincoln Academy Charter School.

How the Impact of the Waiver will be evaluated: The impact of this waiver will be measured by the performance standards that apply to Lincoln Academy Charter School's evaluation system.

Expected Outcomes: Lincoln Academy Charter School expects that as a result of this waiver, we will be able to continue to provide appropriate and timely evaluations of teachers and administrators and continue to have the goal of improving student academic growth and meet the intent of the quality standards established in SB 10-191.

22-7-1014(2)(a) which requires each district to administer the school readiness assessment to each student.

Rationale: Lincoln Academy Charter School should have the authority to implement relevant curriculum and assessments that ensure students success in higher learning. The domains of physical well-being and motor development; social-emotional development; language and comprehension development; and cognition and general knowledge are assessed daily due to the present curriculum assessments. Support is readily available through numerous avenues based throughout the program.

Plan: Lincoln Academy Charter School has a Kindergarten program utilizing the Core Knowledge curriculum in addition to the Common Core/State Standards.

1. Physical well-being and motor development:

- Students participate weekly in a structured Physical Education class meeting or exceeding state standards. This class also uses a curriculum (SPARK) that daily encourages gross motor development. Students are assessed on motor-development skills acquired throughout the year.
- Students participate weekly in Art education meeting or exceeding state standards. Development of fine motor skills is achieved through drawing, painting, and creating projects. Students are assessed on fine motor skills acquired throughout the year.
- Students participate weekly in Music education meeting or exceeding state standards. Students participate in a variety of movement and rhythm exercises. Students are assessed throughout the year.
- Students participate in weekly Technology classes learning keyboarding and how to manipulate the various functions of the computer. Students are assessed throughout the year.
- Assessment information is gathered by observation protocols based on appropriate developmental guidelines and State Standards in the area of physical well-being and motor development.

2. Social-emotional development (based on State Standards)

- Students are instructed in the positive behavior support system designed by the school. This includes classroom, cafeteria, recess, and hallway expectations. Students are rewarded for the positive behavior they demonstrate.
- Positive behavior in the classroom is reinforced with redirection and refocus, as well as individual behavior charts, and whole class rewards. This is to strengthen self-regulation and executive-functions that help students pay attention, remember directions, and control their behavior.
- Students are instructed in character education on a bi-weekly basis. This program helps students develop social-emotional skills such as making friends, managing emotions and solving problems to set them on the path for social success and academic readiness.
- Assessment information is gathered by observation protocols by the classroom teacher based on appropriate developmental guidelines and Colorado State Standards.

3. Language and comprehension development (based on State Standards)

- Students receive 60 minutes of instruction each day using SRA's *ImagineIt!* Language Arts curriculum. This is a comprehensive program for reading, writing, listening, and speaking. Students master letter names and sounds as well as sight words in order to decode and encode fluently. Students are also taught vocabulary, language arts skills that are essential for comprehension. Assessments of singular skills are administered frequently during each 15 lesson unit. An overall assessment of reading fluency is administered after every 2 units, or five times a year.
- The *DIBELS Next* assessment is administered three times per year. Any student who does not achieve benchmark is progress monitored every two to three weeks. Students not making benchmark progress are assessed with *DIBELS Deep* to determine the literacy area most in need of improvement. If the student is far below benchmark on two consecutive administrations the student is placed on a READ plan and given an additional 30 minutes of small group instruction.

4. Cognition and general knowledge (based on State Standards)

- Students receive 30 minutes of math instruction using Saxon's math curriculum. This curriculum is aligned to the Common Core State Standards for math. Assessments are given every two weeks

to monitor progress. Students who fall behind are given additional time in small group or 1:1 sessions with the teacher in the area of need.

- Science - Students are instructed on various topic including: Plants; Animals and their Needs; the Human Body (five senses, taking care of your body - exercise, cleanliness, health diet, and rest); Magnets; Seasons and Weather; and Conservation. Assessments are given regularly to monitor progress.
- History and Geography - Students are instructed on various topics including: Geography - Spatial Sense (working with maps and globes students recognize rivers, lakes, mountains, Atlantic and Pacific Oceans, North and South Pole); an overview of the seven continents including landmarks and animals, Native American Peoples; Early Exploration and Settlement (including the voyage of Columbus, the Pilgrims, and Independence Day) Presidents Past and Present (including Washington, Jefferson, Lincoln, Theodore Roosevelt and the current United States President); and United States Symbols (including the American Flag, Statue of Liberty, Mount Rushmore, and the White House). Assessments are given regularly to monitor progress.
- Assessment information is gathered from formal curriculum assessments and classroom teacher observations based on appropriate developmental guidelines and State Standards.

Any student not making adequate growth in any of the above areas receive Response to Intervention strategies in small groups or 1:1 instruction. RtI plans are developed and review with our Department of Student Success quarterly. The information reviewed includes results of formal assessments, informal assessments, and developmental checklists. This information is housed in SOARS which is an internet based data management system through our district, Jeffco. The program brings together achievement data from many sources, generates student and summary reports and allows for distribution to appropriate RtI personnel.

If students do not respond with adequate growth following this intervention they may be referred to a Physical/Occupational Therapist; Psychologist; Speech/Language Therapist; Special Education Teacher; Counselor or Mental Health Therapist for further assessment. These assessments results are held in Enrich.

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 27-7-1014(2)(a).

Duration of the Waiver: Lincoln Academy Charter School requests that the waiver be for the duration of its contract with Jefferson County School District R-1. Therefore, the waiver is requested until June 30, 2020.

Financial Impact: Lincoln Academy Charter School anticipates that the requested waiver will have no financial impact upon Jefferson County School District R-1 or Lincoln Academy Charter School.

How the Impact of the Waiver will be evaluated: The impact of this waiver will be measured by the performance criteria and assessments that apply to Lincoln Academy Charter School's curriculum and overall program design.

Expected Outcomes: Lincoln Academy Charter School will continue to provide appropriate assessments and support in all academic content areas. This will ensure student success in higher levels of learning in all academic content areas.