

Charter School's Replacement Policies for Automatic Waivers from State Statutes

State Statute	22-9-106 : Local Board Duties Concerning Performance Evaluations for Licensed Personnel
Statute Description	All of the teacher and principal effectiveness legislation
Rationale for Waiver Request	The KIPP School Leader must have the authority and ability to perform evaluations for all personnel. The school leader will perform all employee performance evaluations as stated in board-approved policies.
School's Replacement Policy	Student and Family Handbook, Page 37
State Statute	22-32-109(1)(f) , C.R.S. Local board duties concerning selection of staff and pay
Statute Description	(f) (I) To employ all personnel required to maintain the operations and carry out the educational program of the district and to fix and order paid their compensation...
Rationale for Waiver Request	KIPP will be responsible for its own HR related matters, including hiring its own staff and establishing its own terms and conditions of employment, policies, rules and regulations. KIPP requests that these statutory duties be waived or delegated from the Denver Public Schools to the school leader and senior administrative staff as overseen by Board of Directors. All KIPP staff will be employed on an at-will basis.
School's Replacement Policy	KIPP Colorado Employee Handbook, page 12-14
State Statute	22-32-110 (1)(h) , C.R.S. Local board powers-Terminate employment of personnel
Statute Description	(h) To discharge or otherwise terminate the employment of any personnel. A board of a district of innovation...may delegate the power specified in this paragraph (h) to an innovation school
Rationale for Waiver Request	KIPP Colorado Elementary School will be responsible for its own personnel matters, including employing its own staff and establishing its own terms and conditions of employment, policies, rules and regulations, and terminating its own employees. Therefore, the elementary school requests that these statutory duties be waived or delegated from Denver Public Schools to the school leader, Chief Academic Officer, senior administrative staff and KIPP Board of Directors. The success of the elementary school will depend in large part upon its ability to select and employ its own staff and to terminate individual staff members should they not perform in accordance with this Charter School Contract and the goals and objectives of the school. All KIPP staff will be employed on an at-will basis.
School's Replacement Policy	KIPP Colorado Employee Handbook, page 12-14
State Statute	22-32-126 , C.R.S. Employment and authority of principals
Statute Description	Requirement of principal certification, principal responsibilities, disciplinary action, discipline code

Rationale for Waiver Request	The elementary school will be responsible for its own personnel matters, including employing the school leader. The school leader and senior administrative staff will hire its own personnel and establish its own terms and conditions of employment, policies, rules and regulations. Additionally, we will provide our own professional development and training to all our staff on an on-going basis. KIPP has a strong leadership development program that all school leaders must attend. This allows for constant growth and development during the school leaders tenure with KIPP. School leaders will be employed on an at-will basis. Therefore, KIPP requests that these statutory duties be waived or delegated from Denver Public Schools to the KIPP. The success of this elementary school will depend in large part upon its ability to select and employ its own school leader and staff in accordance with this Charter School Contract and the goals and objectives of the school.
School's Replacement Policy	KIPP Colorado Employee Handbook, page 12-14
State Statute	22-63-201, C.R.S. Teacher Employment Act-Compensation & Dismissal Act-Requirement to hold a certificate
Statute Description	Paraphrasing - Must hire a teacher with a license. An alternative license is okay. Districts are not required to hire administrators with the requisite license.
Rationale for Waiver Request	Executive Director and senior administrative staff should be granted the authority to hire teachers and school leaders that will support the schools goals and objectives. The school leader will not function as a traditional district school principal, but rather will be responsible for a wider range of tasks and act as the elementary school's chief executive officer. KIPP Colorado will seek to attract school leaders and teachers from a wide variety of backgrounds, including, but not limited to teachers from out-of-state, persons with several years of successful teaching experience in a setting not requiring a license, as well as persons with business or professional experience. However, all employees will comply with the Federal Highly Qualified requirements as regulated through federal statute. All employees of KIPP will be employed on an at-will basis.
School's Replacement Policy	Student and Family Handbook, page 37
State Statute	22-63-202, C.R.S. Teacher Employment Act- Contracts in writing, damage provision
Statute Description	Contracts shall be in writing, amount of notice required by a teacher/principal who intends to resign, when a position can be re-opened, penalties for resigning outside of the window, no direct placement requirement, priority hiring preference for effective/satisfactory teachers, management of displaced teachers, and disclosure of why contracts were terminated.
Rationale for Waiver Request	The elementary school should be granted the authority to develop its own employment offer letters and terms and conditions of employment. The elementary 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 the regular public school will be successful at KIPP Colorado Elementary school. If a teacher is terminated during the school year we perform a

	calculation that annualizes the number of days worked to their salary and it is paid to them in their last check. All employees of KIPP will be employed on an at-will basis.
School's Replacement Policy	KIPP Colorado Employee Handbook, page 8
State Statute	22-63-203, C.R.S. Teacher Employment Act- Requirements for probationary teacher, renewal & nonrenewal
Statute Description	Tenure - how established, treatment of probationary teachers, time, ability to not renew contracts
Rationale for Waiver Request	The elementary school should be granted the authority to develop its own employment contracts and terms and conditions of employment. The elementary 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 the regular public school will be successful at KIPP Colorado Elementary school. If a teacher is terminated during the school year we perform a calculation that annualizes the number of days worked to their salary and it is paid to them in their last check. All employees of KIPP will be employed on an at-will basis.
School's Replacement Policy	KIPP Colorado Employee Handbook, page 8
State Statute	22-63-206, C.R.S. Teacher Employment Act-Transfer of teachers
Statute Description	Specifies that schools are not required to accept transfers from the Chief Admin Officer of a district, but if they do, specifies the manner in which compensation should (?) be handled.
Rationale for Waiver Request	The elementary school is granted the authority under the Charter School Contract to select its own teachers. The District should not have the authority to transfer its teachers into the elementary school or vice versa, except as provided for in the Charter School Contract.
School's Replacement Policy	KIPP Colorado Employee Handbook, page 8
State Statute	22-63-301, C.R.S. Teacher Employment Act- Grounds for dismissal
Statute Description	Specifies reasons for why a teacher could be dismissed. Very broad language. Probably not necessary to waive.
Rationale for Waiver Request	The success of the elementary school and accomplishing its mission is dependent primarily upon the talents, skills and personal commitment of its teachers. The elementary school must be able to terminate employees who cannot deliver its educational program successfully. All employees of KIPP will be employed on an at-will basis.
School's Replacement Policy	KIPP Colorado Employee Handbook, page 8, 20

State Statute	22-63-302, C.R.S. Teacher Employment Act-Procedures for dismissal of teachers
Statute Description	\$80,000+ process for terminating a teacher through judicial review. Teacher can appeal for an impartial hearing, appeal to court of appeals, appeal to supreme court. Instances when a district can dismiss a teacher without cause are specified. Criminal convictions.
Rationale for Waiver Request	The success of the elementary school and accomplishing its mission is dependent primarily upon the talents, skills and personal commitment of its teachers. The elementary school must be able to terminate employees who cannot deliver its educational program successfully. All employees of KIPP will be employed on an at-will basis.
School's Replacement Policy	KIPP Colorado Employee Handbook, page 8, 20
State Statute	22-63-401, C.R.S. Teacher Employment Act-Teachers subject to adopted salary schedule
Statute Description	Districts are required to pay teachers according to a schedule or according to a performance policy. Salaries are not to be changed until the end of the year. Individual teachers cannot have their salaries cut unless all teachers have salaries cut.
Rationale for Waiver Request	The elementary school should be delegated the authority to determine compensation rates, in accordance with the Charter School Contract. The workday and work year in the elementary school may be different from that of the District and compensation must be adjusted accordingly.
School's Replacement Policy	KIPP Colorado Employee Handbook, page 20, 21
State Statute	22-63-402, C.R.S. Teacher Employment Act-Certificate required to pay teachers
Statute Description	...A teacher shall hold a valid license or authorization during all periods of employment by a school district...
Rationale for Waiver Request	The will be operating independently from other schools in the district and should be delegated the authority to develop, adopt, and implement its own operational policies, rules and regulations, subject to the limitations in the Charter School Contract
School's Replacement Policy	KIPP Colorado Employee Handbook, page 20, 21
State Statute	22-63-403, C.R.S. Teacher Employment Act-Describes payment of salaries
Statute Description	Upon termination of employment of a teacher prior to the end of the employment contract and prior to receiving all salary installments, said teacher is entitled to a pro rata share of the salary installments due and payable pursuant to said contract for the period during which no services are required to be performed except as provided in section 22-63-202(2).
Rationale for Waiver Request	KIPP will be responsible for its own HR related matters, including hiring its own staff and establishing its own terms and conditions of employment, policies, rules and regulations. KIPP requests that these statutory duties be waived or delegated from the

	Denver Public Schools to the school leader and senior administrative staff as overseen by Board of Directors. We do not have contracts and will simply provide offer letter to the new employees. We will not be required to give tenure and and/or probationary periods to teachers. All KIPP staff will be employed on an at-will basis.
School's Replacement Policy	KIPP Colorado Employee Handbook, page 20, 21