



**MINUTES**  
**SPECIAL BOARD OF EDUCATION MEETING**  
**June 22, 2016**  
**6:30 p.m.**  
**Education Service Center – Board Room**

**1.00 Call to Order and Roll Call**

A special meeting of the District 49 Board of Education was called to order at 6:32 p.m. by the President, Marie LaVere-Wright. The following board members were present: Mr. Butcher, Mr. Graham, Ms. Harold, Mrs. LaVere-Wright and Mr. Moore.

**2.00 Welcome and Pledge of Allegiance**

**3.00 Approval of Agenda**

It was moved by Harold, seconded by Moore to approve the agenda as presented.

*The motion was put and carried with Butcher, aye; Graham, aye; Harold, aye; LaVere-Wright, aye; Moore, aye. Motion carried 5-0.*

**4.00 Consent Agenda – see attachments**

4.01 Approval of Matters Relating to Administrative and Licensed Personnel

**5.00 *Open Forum (3 minute time limit for each speaker)***

**6.00 Action Items – see attachments**

6.01 Action on 2016-17 District Budget

6.02 Action of 2016-17 Charter School Budgets

6.03 Review and Action on Falcon High School's Revised Innovation Plan (5 minutes)

6.04 Action on Champions Enrichment Program Agreement

6.05 Action on Sand Creek High School Waiver Request

6.06 Action on Power Technical Early College Waivers and Resolution

6.07 Action on Addendum to Chief Education Officer's Employment Agreement-Tuition Assistance

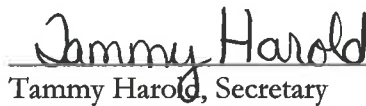
**7.00 *Other Business***

**8.00 *Adjournment***

It was moved by Harold and seconded by Moore to adjourn the meeting at 6:55 p.m. *The motion was put and carried with Butcher, aye; Graham, aye; Harold, aye; LaVere-Wright, aye; Moore, aye. Motion carried 5-0.*

Respectfully submitted by Donna Richer,

  
Marie LaVere-Wright, President

  
Tammy Harold, Secretary

**BOARD OF EDUCATION AGENDA ITEM 4.01 MINUTES**

<b>BOARD MEETING OF:</b>	June 9, 2016
<b>PREPARED BY:</b>	Paul Andersen, Human Resources Director
<b>TITLE OF AGENDA ITEM:</b>	Approval of Matters Relating to Administrative and Licensed Personnel
<b>ACTION/INFORMATION/DISCUSSION:</b>	Consent - Action

**BACKGROUND INFORMATION, DESCRIPTION OF NEED:** To gain Board of Education approval for personnel changes

**RATIONALE:** The hiring and transfer actions on attached roster are to meet Board of Education objectives in student achievement. Retirement and resignations, if any, are included in this roster.

**RELEVANT DATA AND EXPECTED OUTCOMES:** By addressing these action items, the Board of Education is approving the necessary actions that allow the District to continue its' function of hiring and other associated personnel activities that impact student achievement.

**IMPACTS ON THE DISTRICT'S STRATEGIC PRIORITIES—THE BIG ROCKS:**

<b>Rock #1</b> —Reestablishing the district as a <u>trustworthy</u> recipient of taxpayer investment	
<b>Rock #2</b> —Research, design and implement programs for intentional <u>community</u> participation	
<b>Rock #3</b> — Grow a robust <u>portfolio of</u> distinct and exceptional <u>schools</u>	Major Impact
<b>Rock #4</b> — Build <u>firm foundations</u> of knowledge, skills and experience so all learners can thrive.	
<b>Rock #5</b> — Customize our educational systems to <u>launch each student toward success</u>	

**FUNDING REQUIRED:** Yes

**AMOUNT BUDGETED:** In accordance with Board of Education approved salary tables.

**RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:** I move to approve the attached personnel changes as recommended by the administration.

**APPROVED BY:** Peter Hilts, Chief Education Officer;

Brett Ridgway, Chief Business Officer; Jay Bay, Chief Operations Officer

**DATE:** June 15, 2016

*Harold made the motion; seconded by Moore. The motion passed 5-0.*

	<b>BUTCHER</b>	<b>GRAHAM</b>	<b>HAROLD</b>	<b>LAVERE-WRIGHT</b>	<b>MOORE</b>
<b>VOTED AYE</b>	X	X	X	X	X
<b>VOTED NAY</b>					
<b>COMMENTED</b>					

BOE Special Meeting June 22, 2016  
Item 4.01 continued

	<b>BAY</b>	<b>HILTS</b>	<b>RIDGWAY</b>		
<b>COMMENTED</b>					

**EL PASO COUNTY SCHOOL DISTRICT 49**

**Approval of Matters Relating to Administrative Personnel  
June 22, 2016**

Be it resolved, that the following matters relating to administrative personnel be approved as recommended by the Chief Officers:

**APPOINTMENTS:**

Granaas, Mary Kathleen    Coordinator of Academic Performance, Learning Services.

**EL PASO COUNTY SCHOOL DISTRICT 49**

**Approval of Matters Relating to Licensed Personnel  
June 22, 2016**

Be it resolved, that the following matters relating to certified personnel be approved as recommended by the Chief Education Officer:

**RETIREMENTS:**

Saviano, Jeri L.

Written notification of her intent to retire from her position as Special Education Resource Teacher at Stetson Elementary School effective June 1, 2016. If her retirement is granted, Ms. Leonard is also requesting approval to complete a PERA 110/140 transitional year for the 2016-2017 academic year.



OPEN FORUM

"Please provide your name, relation to the district and the topic of comment for this open forum. Just as we hold our students to high standards of speech and respect for others, we expect your comments to follow these same standards. Please limit your comments to three minutes. Thank you."

NAME

Relation to the District

Topic of Comment

1.		
2.		
3.		
4.		
5.		
6.		
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8.		
9.		
10.		

## BOARD OF EDUCATION AGENDA ITEM 6.01 MINUTES

<b>BOARD MEETING OF:</b>	June 22, 2016
<b>PREPARED BY:</b>	Brett Ridgway, Chief Business Officer Ron Sprinz, Finance Group Manager
<b>TITLE OF AGENDA ITEM:</b>	Action on 2016-17 District Budget
<b>ACTION/INFORMATION/DISCUSSION:</b>	Action

**BACKGROUND INFORMATION, DESCRIPTION OF NEED:** Late in the third quarter of each fiscal year, it is appropriate for the District to begin considering budget priorities for the following fiscal year. In recent years, the amount of funding available for K12 education has been in question and has, in fact, seen several reductions on a year-by-year basis. As a result, the State's quarterly revenue forecast has become a key indicator on what may happen – not only with the current year state revenue forecast (and by extension K12 funding), but also the forecast for the subsequent year.

**RATIONALE:** The assumption, is that funding will increase slightly at the state level for the 2016/17 fiscal year. A funding increase for the fourth year in a row, no matter how slight, is a welcome sign after reductions were recognized in the 2010/11 and 2011/12 years, and then flat to 2012/13. Other factors that were defined early, at a high level include projected student count and revenue allocations.

**RELEVANT DATA AND EXPECTED OUTCOMES:** With the increased funding proposals, the PPR rate is scheduled to increase by ~1.6%. In addition, the district will show an increase in student count as is normal for Falcon School District. The combination of rate and volume increases will provide additional funds (aka 'new money') to the District. The first questions to consider, then, are the revenue allocations and next, changes to compensation rates for district staff in the 2016-17 fiscal year, which have been presented as the 'normal' step increase in addition to following the repositioning plans approved by the BOE earlier this year.

### IMPACTS ON THE DISTRICT'S STRATEGIC PRIORITIES—THE BIG ROCKS:

<b>Rock #1</b> —Reestablishing the district as a <u>trustworthy</u> recipient of taxpayer investment	<i>Clarity and transparency in budget strategy and decisions.</i>
<b>Rock #2</b> —Research, design and implement programs for intentional <u>community</u> participation	<i>Participation by the DAAC budget sub-committee this year is better than recently seen.</i>
<b>Rock #3</b> — Grow a robust <u>portfolio of</u> distinct and exceptional <u>schools</u>	
<b>Rock #4</b> — Build <u>firm foundations</u> of knowledge, skills and experience so all learners can thrive.	
<b>Rock #5</b> — Customize our educational systems to <u>launch each student toward success</u>	<i>Our decentralized approach with innovation is foundational to designing a program for each student.</i>

**FUNDING REQUIRED:**

**AMOUNT BUDGETED:** \$139mm

**RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:** I move to approve the District Budget for fiscal year 2016-17 as presented by the Administration.

**APPROVED BY:** Brett Ridgway, Chief Business Officer

**DATE:** June 15, 2016

BOE Special Meeting June 22, 2016  
Item 6.01 continued

*Harold made the motion; seconded by Moore. The motion passed 5-0.*

	BUTCHER	GRAHAM	HAROLD	LAVERE-WRIGHT	MOORE
VOTED AYE	X	X	X	X	X
VOTED NAY					
COMMENTED			X		

	BAY	HILTS	RIDGWAY	SPRINZ	
COMMENTED			X	X	

## BOARD OF EDUCATION AGENDA ITEM 6.02 MINUTES

<b>BOARD MEETING OF:</b>	June 22, 2016
<b>PREPARED BY:</b>	Brett Ridgway, Chief Business Officer
<b>TITLE OF AGENDA ITEM:</b>	Action on 2016-17 Charter School Budgets
<b>ACTION/INFORMATION/DISCUSSION:</b>	Action

**BACKGROUND INFORMATION, DESCRIPTION OF NEED:** The contracts with the District's Charter Schools require, best practices of the National Association of Charter School Authorizes (NACSA) suggest, and Colorado Revised Statutes require the Authorizing District's Board of Education to take action to endorse charter school budgets.

**RATIONALE:** All budgets reflect conservative approaches to revenue generation and expense planning as a result of the expected reductions in funding from the State of Colorado. However, as distinct legal entities, each Charter School can utilize its own model for budget development.

**RELEVANT DATA AND EXPECTED OUTCOMES:** It is expected that each Charter School budget provides an accurate quantification of an operating plan for each component of The District to use as a guide for managing their businesses for the fiscal year beginning July 1, 2013. It is also expected that the strategies used to develop this budget will be appropriate to react to any change in assumptions that come as the fiscal year unfolds. Finally, we expect to offer a third and final iteration of the budget to the Board and the Constituency in January 2014 that recognizes actual results of key assumptions made in this budget draft relating to student count and other revenue components and establishes new and/or modified strategies for recognizing new revenue assumptions in the projected spending for staffing and implementation costs.

### **IMPACTS ON THE DISTRICT'S STRATEGIC PRIORITIES—THE BIG ROCKS:**

<b>Rock #1</b> —Reestablishing the district as a <u>trustworthy</u> recipient of taxpayer investment	<i>Clarity and transparency in budget strategy and decisions.</i>
<b>Rock #2</b> —Research, design and implement programs for intentional <u>community</u> participation	<i>Charter Schools, almost by definition but certainly in practice represent clear desires of their individual communities which are significant portions of the District's overall community..</i>
<b>Rock #3</b> — Grow a robust <u>portfolio</u> of distinct and exceptional <u>schools</u>	
<b>Rock #4</b> — Build <u>firm</u> foundations of knowledge, skills and experience so all learners can thrive.	
<b>Rock #5</b> — Customize our educational systems to launch <u>each student</u> toward success	<i>Our decentralized approach with innovation is foundational to designing a program for each student.</i>

**FUNDING REQUIRED:** \$68.3mm

**AMOUNT BUDGETED:** \$68.3mm

**RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:** I move to approve the 2016-2017 budgets of the six District Charter Schools as presented.

**APPROVED BY:** Brett Ridgway, Chief Business Officer

**DATE:** June 15, 2016

*Harold made the motion; seconded by Moore. The motion passed 5-0.*

BOE Special Meeting June 22, 2016  
Item 6.02 continued

	BUTCHER	GRAHAM	HAROLD	LAVERE-WRIGHT	MOORE
VOTED AYE	X	X	X	X	X
VOTED NAY					
COMMENTED					

	BAY	HILTS	RIDGWAY	SPRINZ	
COMMENTED			X	X	

## BOARD OF EDUCATION AGENDA ITEM 6.03 MINUTES

<b>BOARD MEETING OF:</b>	June 22, 2016
<b>PREPARED BY:</b>	Cheryl DeGeorge, Principal at Falcon High School
<b>TITLE OF AGENDA ITEM:</b>	Revised Innovation Plan for Falcon High School
<b>ACTION/INFORMATION/DISCUSSION:</b>	Action

**BACKGROUND INFORMATION, DESCRIPTION OF NEED:** Falcon High School began a series of community meetings and online feedback opportunities on February 17, 2015 to review the Falcon High School Innovation Plan. Staff, administrators, and community members have reviewed and made recommendations on this plan over the past several months. Background information, timelines, waivers, rationale, and approvals are included in the plan itself. Waivers from Colorado Revised Statutes are included in the plan.

**RATIONALE:** The original plan was approved in April of 2012. There have been many changes in staff and administration at FHS in the three and a half years since that time. Many of the elements of the original plan were never implemented, standards-based grading was not implemented with acceptance by the Falcon Community, and Innovation/Professional Learning Communities were implemented with some success. The Academy model has worked well with the Health Academy at Falcon High School. The IT/Finance Academy is beginning to take shape, but no comprehensive plans were ever developed following the approval of the Innovation Plan. Further work has been done in this area. New waivers around e-days have also been proposed.

### **RELEVANT DATA AND EXPECTED OUTCOMES:**

#### **IMPACTS ON THE DISTRICT'S STRATEGIC PRIORITIES—THE BIG ROCKS:**

<b>Rock #1</b> —Reestablishing the district as a <u>trustworthy</u> recipient of taxpayer investment	Clear transparent budgets for new and existing programs and clear plans for any future spending will demonstrate that FHS is a trustworthy recipient of taxpayer dollars.
<b>Rock #2</b> —Research, design and implement programs for intentional <u>community</u> participation	Support of parents is paramount to the success of any school. This plan engages the community in the process of revising the Innovation Plan and solicits feedback and engagement annually.
<b>Rock #3</b> — Establish District 49 as the <u>best district</u> in Colorado to learn, work and lead	Student choice via pathways and academies make Falcon High School the best district/school in which to learn. Teacher voice and buy in to a comprehensive plan with community and administrative support make Falcon High School the best district/school in which to work. Successful students, happy parents and happy teachers make Falcon High School the best district/school in which to lead.
<b>Rock #4</b> — Grow a robust portfolio of distinct and exceptional schools	Falcon High School with its budding IT Academy, successful Health Academy, and growing JROTC program is already a distinct and exceptional school. This plan will continue to grow exceptional and unique programs.
<b>Rock #5</b> — Customize our educational systems to launch each student toward success	Customized competency-based grading, unique academies, focus on ICAP and pathways, and e-days further customize each student educational experience and will launch them toward success.

**FUNDING REQUIRED:** None

**AMOUNT BUDGETED:** None

BOE Special Meeting June 22, 2016  
Item 6.03 continued

**RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:** I move to approve the revised innovation plan for Falcon High School as recommended by the Administration and to adopt the attached resolution.

**APPROVED BY:** Peter Hilts, Chief Education Officer

**DATE:** 06/10/16

*Harold made the motion; seconded by Moore. The motion passed 5-0.*

	BUTCHER	GRAHAM	HAROLD	LAVERE-WRIGHT	MOORE
VOTED AYE	X	X	X	X	X
VOTED NAY					
COMMENTED		X		X	

	BAY	HILTS	RIDGWAY	DEGEORGE	
COMMENTED				X	



GENERAL RESOLUTION

FOR THE PURPOSE OF

APPROVING REVISED INNOVATION PLANS

AS SET FORTH IN C.R.S. 22-32.5-101, ET. SEQ.

WHEREAS, The Board of Education of Falcon School District 49 ("the District") wishes to encourage innovation and the pursuit of innovation status as permitted under Colorado law; and

WHEREAS, the District, more particularly, desires that school innovation plans be continuously reviewed, updated and improved;

NOW THEREFORE, BE IT RESOLVED that the District hereby approves the proposed REVISED Innovation Plans for Falcon High School, and certifies this approval to the commissioner of education, and

BE IT FURTHER RESOLVED, that the District hereby authorizes its Chief Education Officer or his/her designee on behalf of the District to deliver the REVISED Plans to the State Board of Education for any and all necessary waiver and operational approvals.

ADOPTED AND APPROVED this 22nd day of June 2016.

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Marie LaVere-Wright  
Board of Education, President

(SEAL)

ATTEST:

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Tammy Harold  
Board of Education, Secretary

## BOARD OF EDUCATION AGENDA ITEM 6.04 MINUTES

<b>BOARD MEETING OF:</b>	June 22, 2016
<b>PREPARED BY:</b>	Jack Bay, Chief Operations Officer
<b>TITLE OF AGENDA ITEM:</b>	Renewal of Champions Contract (before and after care)
<b>ACTION/INFORMATION/DISCUSSION:</b>	Action

### BACKGROUND INFORMATION, DESCRIPTION OF NEED:

The KCE Champions organization has been working with the school district to deliver before and after school enrichment care programs for many of our students and staff.

### RATIONALE:

### RELEVANT DATA AND EXPECTED OUTCOMES:

### IMPACTS ON THE DISTRICT'S STRATEGIC PRIORITIES—THE BIG ROCKS:

<b>Rock #1</b> —Reestablishing the district as a <u>trustworthy</u> recipient of taxpayer investment	N/A
<b>Rock #2</b> —Research, design and implement programs for intentional <u>community</u> participation	N/A
<b>Rock #3</b> — Grow a robust <u>portfolio</u> of distinct and exceptional <u>schools</u>	By providing quality before and after school enrichment care programs for our students and staff, we are helping to establish District 49 as the best district.
<b>Rock #4</b> — Build <u>firm foundations</u> of knowledge, skills and experience so all learners can thrive.	N/A
<b>Rock #5</b> — Customize our educational systems to <u>launch</u> each student toward success	N/A

**FUNDING REQUIRED:** No

**AMOUNT BUDGETED:**

**RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:** I move to approve the attached enrichment program agreement between KU Champions LLC and the district for 2016-17.

**APPROVED BY:** Jack Bay, Chief Operations Officer

**DATE:** June 22, 2016

*Harold made the motion; seconded by Moore. Bay stated that this is a one year agreement. The motion passed 5-0.*

	BUTCHER	GRAHAM	HAROLD	LAVERE-WRIGHT	MOORE
VOTED AYE	X	X	X	X	X
VOTED NAY					
COMMENTED					

	BAY	HILTS	RIDGWAY		
COMMENTED	X				

## BOARD OF EDUCATION AGENDA ITEM 6.05 MINUTES

<b>BOARD MEETING OF:</b>	June 22, 2016
<b>PREPARED BY:</b>	Janet Giddings, Audra Lane, Jared Felice
<b>TITLE OF AGENDA ITEM:</b>	Proposed Sand Creek High School Waiver Request
<b>ACTION/INFORMATION/DISCUSSION:</b>	Action

**BACKGROUND INFORMATION, DESCRIPTION OF NEED:** BOE policy CF “School Building Administration” states, “In the absence of a building principal, the Innovation Leader shall assume all authority and duties of the principal.” Sand Creek High School is requesting a waiver from this BOE policy.

**RATIONALE:** Sand Creek High School is/will be comprised of multiple educational pathways and shared leadership between Administration and Teacher Leaders. This model demands a wider and deeper leadership team in terms of strengths, perspectives, and interests. The demands of leading a complex organization lend themselves to a partner-based, expertise-driven model, rather than one with a defined leader.

**RELEVANT DATA AND EXPECTED OUTCOMES:**

- Authority and duties of the principal are clearly divided among the Associate Principals/Pathway Directors for the beginning of the 2016-17 school year. Following a 2-year plan and beginning spring semester 2017, Teacher Leaders will incrementally take on more authority and duties until these are equally shared among Associate Principals/Pathway Directors and Teacher Leaders.
- There will be increased opportunities for the Sand Creek Leadership Team to authentically learn, work, and lead as a team.
- Sand Creek Campus Council will have expanded opportunities for teachers and students to develop leadership capacity.
- An expertise-driven model will ensure more thorough oversight and knowledge of pathways and programs. As a result, student achievement will increase, and communication to all stakeholders will be more authentic.

**IMPACTS ON THE DISTRICT’S STRATEGIC PRIORITIES—THE BIG ROCKS:**

<b>Rock #1</b> —Reestablishing the district as a <u>trustworthy</u> recipient of taxpayer investment	
<b>Rock #2</b> —Research, design and implement programs for intentional <u>community</u> participation	
<b>Rock #3</b> — Grow a robust <u>portfolio of</u> distinct and exceptional <u>schools</u>	
<b>Rock #4</b> — Build <u>firm foundations</u> of knowledge, skills and experience so all learners can thrive.	X
<b>Rock #5</b> — Customize our educational systems to <u>launch each student toward success</u>	X

**FUNDING REQUIRED:** None

**AMOUNT BUDGETED:**

**RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:** I move to approve a waiver from policy CF School Building Administration for Sand Creek High School for a period of three years.

BOE Regular Meeting June 22, 2016  
Item 6.05 continued

**APPROVED BY:** Peter Hilts, Chief Education Officer

**DATE:** June 15, 2016

*Harold made the motion; seconded by Moore. The motion passed 5-0.*

	BUTCHER	GRAHAM	HAROLD	LAVERE-WRIGHT	MOORE
VOTED AYE	X	X	X	X	X
VOTED NAY					
COMMENTED					

	BAY	HILTS	RIDGWAY		
COMMENTED					



## BOARD OF EDUCATION AGENDA ITEM 6.06 MINUTES

<b>BOARD MEETING OF:</b>	June, 22 2016
<b>PREPARED BY:</b>	Andy Franko, iConnect Zone Leader
<b>TITLE OF AGENDA ITEM:</b>	PTEC Waivers Revision
<b>ACTION/INFORMATION/DISCUSSION:</b>	Action

### BACKGROUND INFORMATION, DESCRIPTION OF NEED:

Power Technical Trades Academy (PTEC) has applied for a number of waivers to state statute. The Colorado Department of Education received the D49 board approved waiver request and found conflict with the rationale that was submitted for the specified requests.

### RATIONALE:

Because the replacement rationale was in conflict with the specified waiver requests, CDE has asked PTEC to review and revise. PTEC's legal counsel has made the appropriate changes and has resubmitted for D49 approval. The revisions do not change the original intentions of PTEC in terms of waiver requests. It is the recommendation of the D49 administration that these revisions be approved.

### RELEVANT DATA AND EXPECTED OUTCOMES:

#### IMPACTS ON THE DISTRICT'S STRATEGIC PRIORITIES—THE BIG ROCKS:

<b>Rock #1</b> —Reestablishing the district as a <u>trustworthy</u> recipient of taxpayer investment	
<b>Rock #2</b> —Research, design and implement programs for intentional <u>community</u> participation	
<b>Rock #3</b> — Establish District 49 as the <u>best district</u> in Colorado to learn, work and lead	
<b>Rock #4</b> — Grow a robust portfolio of distinct and exceptional schools	High
<b>Rock #5</b> — Customize our educational systems to launch each student toward success	

**FUNDING REQUIRED:** None

**AMOUNT BUDGETED:** None

**RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:** Approve the revisions to the PTEC waiver requests as recommended by the Colorado Department of Education and Administration.

**APPROVED BY:** Peter Hilts, Chief Education Officer

**DATE:** June 15, 2016

*Harold made the motion; seconded by Moore. The motion passed 5-0.*

	BUTCHER	GRAHAM	HAROLD	LAVERE-WRIGHT	MOORE
VOTED AYE	X	X	X	X	X
VOTED NAY					
COMMENTED					

BOE Special Meeting June 22, 2016  
 Item 6.06 continued

	<b>BAY</b>	<b>HILTS</b>	<b>RIDGWAY</b>		
<b>COMMENTED</b>					



## RESOLUTION

We, the members of the board, resolve to approve the modification of the Power Technical Early College Charter Contract originally signed and dated October 2015 to include the listed waivers and rationale listed below.

### **Power Technical Early College (“PTEC”) Rationale and Replacement Plan for Waivers from State Statute and Rule**

#### **Charter School Information:**

Charter School Name: Power Technical Early College (“PTEC”)

Charter school mailing address:

Street: 5525 Astrozon Blvd.

City: Colorado Springs Zip Code: 80916

Charter school contact name: Jonathan Berg

Title: CEO

Phone: (719)-302-9003 EXT: N/A Email address: jonathan.berg@jamesirwin.org

Projected or current enrollment: 300 Grades served: Lowest: 6th Highest: 14th

Term of the charter contract: 07/01/ 2016 through June 30, 2021

Enter the year the charter school originally opened: 2016

Waiver request prepared for the charter school by: Dustin R. Sparks, Esq.

Phone: (303)-727-0240 EXT: N/A Email: dustin@dustinsparkslaw.com

#### **Authorizer Information:**

☐ Charter School Institute ☒ Name of local school district: Falcon School District 49

Authorizer’s mailing address:

Street: 10850 East Woodmen Road

City: Falcon Zip Code: 80831

Authorizer contact name:

Title:

Phone: ( )- - EXT: Email address:

#### **Automatic Waivers**

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),	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

<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)(y), C.R.S.</i>	Local board powers-Accepting gifts, donations, and grants
<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)</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
<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

#### Additional Waivers

- 1. C.R.S. § 22-9-106: Local Board of Education – Duties (substantive) Certificated Personnel Evaluations.** This section requires that employee performance evaluations be performed by a person holding an administrative certificate (Type D).

**Rationale:** The Power Technical Early College (“PTEC”) principal or designated head of school (“Principal”) 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 Principal. The Principal’s supervisor and the PTEC Board of Directors must also have the ability to perform the evaluation for the Principal.

**Plan:** PTEC will use its own policies concerning performance evaluations as agreed to in the contract with the Falcon School District 49 (“D49”) that expires on June 30, 2021 (“Charter”). PTEC’s evaluation system will continue to meet the intent of the law as outlined in statute. The methods used for PTEC’s evaluation system include quality standards that are clear and relevant to the roles and responsibilities of teachers and other licensed personnel and have the goal of improving student academic growth. All evaluations will be preferred by persons trained to use PTEC’s evaluation system. In addition, the evaluation system’s quality standards will be clearly communicated to both the persons being evaluated and the evaluator.

**Duration of the Waivers:** PTEC requests that the waiver be for the duration of its Charter.

**Financial Impact:** PTEC anticipates that the requested waiver will have no financial impact upon the D49 or the PTEC budget.

**How the Impact of the Waivers will Be Evaluated:** Since teachers and other licensed personnel have 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 PTEC, as set forth in the Charter.

**Expected Outcome:** With this waiver, PTEC will be able to implement its program and evaluate its teachers and other licensed personnel in a manner that produces greater accountability to the school. This will benefit staff members as well as students and the community.

2. **C.R.S. § 22-32-109(1)(n)(I) and C.R.S. § 22-32-109(1)(n)(II)(B): School Board's duty to prescribe length of school year and hours of teacher-pupil instruction and to adopt a calendar.**

**Rationale:** The school will prescribe the actual details of its own school calendar and hours of teacher-pupil contact. The total number of student hours in school will equal or exceed those of D49 and comply with state requirements.

**Replacement Plan:** A finalized calendar and school day of PTEC will be officially adopted each year by the Board of PTEC.

**Duration of the Waivers:** PTEC requests that the waiver be for the duration of its Charter.

**Financial Impact:** PTEC anticipates that the requested waiver will have no financial impact upon the D49 or the PTEC budget.

**How the Impact of the Waivers Will Be Evaluated:** The impact of the waivers will be measured by the same performance criteria and assessments that apply to PTEC as set forth in the Charter.

**Expected Outcome:** As a result of this waiver, PTEC will be able to operate under its own schedule, which is vital to the success of its program.

3. **C.R.S. § 22-63-201: Employment – Certificate Required: Prohibits board from entering into an employment contract with a person who does not hold a teacher's certificate or letter of authorization.**

**Rationale:** PTEC should be granted the authority to hire teachers and principals that will support the school's goals and objectives. The PTEC Principal will be responsible for a wider range of tasks than a traditional district school principal. PTEC 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 and trade experience in areas being taught at PTEC.

**Replacement Plan:** PTEC will, where possible, hire certified teachers and principals. However, in some instances it may be advantageous for PTEC to be able to hire teachers and/or principals without a certificate and who possess unique background and/or skills or fill the needs of PTEC. All teachers will be highly qualified.

**Duration of the Waivers:** PTEC requests that the waiver be for the duration of its Charter.

**Financial Impact:** PTEC anticipates that the requested waiver will have no financial impact upon the D49 or the PTEC budget.

**How the Impact of the Waivers Will be Evaluated:** The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to PTEC, as per the Charter.

**Expected Outcome:** As a result of these waivers, PTEC will be able to employ professional staff possessing unique skills and/or backgrounds filling all staff needs.

**4. C.R.S. § 22-63-202 and C.R.S. § 22-63-203**

**C.R.S. § 22-63-202:** Requires a written employment contract with teachers, including a damages provision. Provides for temporary suspension of employment and cancellation of contract.

**C.R.S. § 22-63-203:** This section establishes specific requirements for the employment of probationary teachers and the renewal or not, of their contracts.

**Rationale:** PTEC should be granted the authority to develop its own employment contracts and terms and conditions of employment. PTEC 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 PTEC. Employees of PTEC will be employed on an at-will basis.

**Replacement Plan:** A PTEC specific employment agreement which requires an annual renewal and addresses payment of salaries upon termination of employment of a teacher will be used. Said agreement will follow PTEC Board Policies.

**Duration of the Waivers:** PTEC requests that the waiver be for the duration of its Charter.

**Financial Impact:** PTEC anticipates that the requested waiver will have no financial impact upon the D49 or the PTEC budget.

**How the Impact of the Waivers Will Be Evaluated:** The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to PTEC, as per the Charter.

**Expected Outcome:** As a result of these waivers, PTEC will be able to employ professional staff possessing unique skills and/or backgrounds, filling all staff needs.

**5. C.R.S. § 22-63-206: Teacher Employment, Compensation and Dismissal Act (substantive); Permits transfer of teachers between schools upon recommendation of district's chief administrative officer.**

**Rationale:** PTEC is granted the authority under the Charter to select its own teachers. The District should not have the authority to transfer its teachers into PTEC or transfer teachers from PTEC to District schools, except as provided for in the Charter.

**Replacement Plan:** PTEC will hire teachers on a “best qualified” basis. Teachers who wish to transfer from PTEC may follow D49 procedures.

**Duration of the Waiver:** PTEC requests that the waiver be for the duration of its Charter.

**Financial Impact:** PTEC anticipates that the requested waiver will have no financial impact upon the D49 or the PTEC budget.

**How the Impact of the Waivers Will Be Evaluated:** The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to PTEC, as per the Charter.

**Expected Outcome:** PTEC expects that as a result of this waiver it will be able to manage its own personnel affairs, consistent with the terms of the Charter and the Colorado Charter School Act.

**6. C.R.S. § 22-63-204: Receiving moneys from the sale of goods.**

**Rationale:** Because PTEC has a unique program, it is essential that the school be granted the latitude to raise money through grants and fundraising and to spend such funds to accomplish its educational objectives. PTEC needs to be allowed to accept pay for sale of goods to accomplish education objectives.

**Replacement Plan:** The PTEC Board will establish policy for receiving gifts, donations, and grants and will monitor expenditures against instructional objectives.

**Duration of the Waiver:** PTEC requests that the waiver be for the duration of its Charter.

**Financial Impact:** PTEC anticipates that the requested waiver will have no financial impact upon the D49 budget and will have a positive impact the PTEC budget.

**How the Impact of the Waivers Will Be Evaluated:** The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to PTEC, as per the Charter.

**Expected Outcome:** As a result of the waiver, the PTEC Board will have the latitude to raise and expend funds as needed and will be able to act more quickly while maintaining accountability.

**7. C.R.S. § 22-63-103 (10): Teacher Employment, Compensation, and Dismissal - Definitions - Substitute Teacher; This section describes a substitute teacher and the qualifications of such.**

**Rationale:** Developing and maintaining a qualified pool of substitute teachers can be challenging for a charter school since the expectations vary from those of traditional public schools.

**Replacement Plan:** The School Administrator shall have the authority to select part-time and substitute teachers.

**Duration of the Waiver:** PTEC requests that the waiver be for the duration of its Charter.

**Financial Impact:** PTEC anticipates that the requested waiver will have no financial impact upon the D49 or the PTEC budget.

**How the Impact of the Waivers Will Be Evaluated:** The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to PTEC, as per the Charter.

**Expected Outcome:** As a result of this waiver, PTEC will be able to employ part-time and substitute teachers possessing unique skills and/or background necessary for the smooth operation of the school.

**8. C.R.S. Sec. 22-32-109.8 and 22-32-109.9:** Require Boards of Education to make certain inquiries and background checks prior to hiring applicants; requires Board of Education to investigate allegations of child or sexual abuse; requires applicant to submit fingerprints and certify no convictions; provide for district to require certified personnel to submit fingerprints in certain instances.

**Rationale:** PTEC will hire its own employees and therefore should be responsible for complying with these provisions for its own employees and be delegated the authority to do so.

**Replacement Plan:** PTEC will comply with these provisions in the same manner as D49, but PTEC will be responsible for complying with these provisions.

**Duration of the Waiver:** PTEC requests that the waiver be for the duration of its Charter.

**Financial Impact:** PTEC anticipates that the requested waiver will have no financial impact upon the D49 or the PTEC budget.

**How the Impact of the Waivers Will Be Evaluated:** The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to PTEC, as per the Charter.

**Expected Outcome:** As a result of these waivers, PTEC will be responsible for completing its own background checks.

## **9. C.R.S. 22-2-112(1)(q)(I) Commissioner-Duties**

**Rationale:** PTEC will use its own performance evaluation system that is unique to its educational model that offers students training in a trade along with traditional education classes. PTEC is seeking a waiver from C.R.S. 22-9-106 enabling its use of that system and 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:** If granted this waiver PTEC will not be required to report their teacher evaluation data through the Teacher Student Data Link collection process. However, the data provided by PTEC's teacher evaluation system will be a critical component in the decision-making process for retention, promotion and placement of the school's teachers. In addition, the evaluation data will be used to inform professional development decisions for each teacher. 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 the Waiver:** PTEC requests that the waiver be for the duration of its Charter.

**Financial Impact:** PTEC anticipates that the requested waiver will have no financial impact upon the D49 or the PTEC budget.

**How the Impact of the Waivers Will Be Evaluated:** The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to PTEC, as per the Charter.

**Expected Outcome:** The measurement of the level of performance for teaching staff shall include, but not be limited to, a standard for measuring performance as it is directly related to classroom instruction and shall include multiple measures of student growth and performance. With this waiver, PTEC will be able to focus efforts on reviewing the teacher evaluation data as a basis for communicating recommendations for improvement and identifying professional development opportunities that are unique to PTEC's program.

## Required Signatures

\_\_\_\_\_  
Authorizer Contact (Print Name)

\_\_\_\_\_  
Signature-Authorizer Contact

\_\_\_\_\_  
Date

\_\_\_\_\_  
Charter School Contact (Print Name)

\_\_\_\_\_  
Signature-Charter School Contact

\_\_\_\_\_  
Date

ADOPTED AND APPROVED this 22nd day of June, 2016.

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Marie LaVere-Wright, Board President  
Falcon School District 49

(SEAL)

ATTEST:

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Tammy Harold, Board Secretary  
Falcon School District 49

## BOARD OF EDUCATION AGENDA ITEM 6.07 MINUTES

<b>BOARD MEETING OF:</b>	June 22, 2016
<b>PREPARED BY:</b>	P. Andersen, Director of Human Resources B. Miller, Legal Counsel
<b>TITLE OF AGENDA ITEM:</b>	Action on Addendum to Chief Education Officer's Employment Agreement-Tuition Assistance
<b>ACTION/INFORMATION/DISCUSSION:</b>	Action

**BACKGROUND INFORMATION, DESCRIPTION OF NEED:** This agenda item asks the Board to approve a tuition assistance agreement between the District and Peter Hiltz, Chief Education Officer (CEO). Mr. Hiltz has applied and been accepted to The University of Phoenix for a doctoral program in educational leadership (Ed.D). Mr. Hiltz is willing to model the learning and diligence required to pursue and secure specialized skills and advanced degrees.

**RATIONALE:** Through this agreement, the District agrees to financially assist Mr. Hiltz in paying tuition for this educational program. The District's total financial commitment associated with the agreement is \$9,720, all of which shall be incurred in the 2016-17 fiscal year.

In exchange for the District's financial investment, Mr. Hiltz agrees to reimburse the District either through work (by remaining employed with the District and fulfilling executive responsibilities as provided in the agreement) or by repayment (if the Executive leaves before completing the agreed-upon service to the District as provided in the agreement). Mr. Hiltz must achieve a letter grade of A or B in each class to be eligible for tuition assistance.

We are referring to this approach as "LeadBack." LeadBack is modeled after the TeachBack arrangement the District uses to assist current teachers in gaining certification to teach college courses in the Concurrent Enrollment program. These approaches are consistent with the District's desire to reinforce professional learning at all levels of the organization and its mission to be the best choice to learn, work and lead.

### **IMPACTS ON THE DISTRICT'S STRATEGIC PRIORITIES—THE BIG ROCKS:**

<b>Rock #1</b> —Reestablishing the district as a <u>trustworthy</u> recipient of taxpayer investment	
<b>Rock #2</b> —Research, design and implement programs for intentional <u>community</u> participation	
<b>Rock #3</b> — Grow a robust <u>portfolio of</u> distinct and exceptional <u>schools</u>	
<b>Rock #4</b> — Build <u>firm foundations</u> of knowledge, skills and experience so all learners can thrive.	
<b>Rock #5</b> — Customize our educational systems to <u>launch each student toward success</u>	

**FUNDING REQUIRED:** \$9,720

**AMOUNT BUDGETED:**

**RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:** Move to approve the tuition assistance agreement and to authorize the Board president to execute the agreement on the Board's behalf.

**APPROVED BY:** Marie LaVere-Wright, Board President

**DATE:** June 15, 2016

BOE Special Meeting June 22, 2016  
Item 6.07 continued

*Harold made the motion; seconded by Moore. LaVere-Wright added the expectation that grades will be included in the reports that the board receives for Mr. Hilt's evaluation. The motion passed 5-0.*

	BUTCHER	GRAHAM	HAROLD	LAVERE-WRIGHT	MOORE
VOTED AYE	X	X	X	X	X
VOTED NAY					
COMMENTED				X	

	BAY	HILTS	RIDGWAY		
COMMENTED					