

Request for Waivers from Colorado Statute
Pueblo School District #60
The following waivers apply to Roncalli Middle School

Section 22-32-109(1) (f), C.R.S. Section outlines local school board duties concerning selection of personnel and pay. Waivers from this statute allow innovation schools to select their own personnel and determine pay.

- **Request:** Roncalli requests waivers from this statute to allow the school to select its own personnel and determine their compensation.
- **Rationale:** Teacher skills, qualifications and retention are key determinants of student academic success. Roncalli will hire the most qualified candidates available and, to bolster retention, compensate teachers for additional performance, hours of work year, hours of work days, and additional duties. The school will have the authority to hire its own personnel and to issue its own employment offer letters to newly hired teachers. The school will follow district application processes including background checks, fingerprinting, and equal employment policies. Roncalli and other innovation schools will have the same compensation structure for additional work, incentives, and performance pay. Compensation will be agreed upon and communicated in advance. The teacher contract will be developed in collaboration with the district's attorney. A letter will outline the terms of employment, including at-will employment for those teachers hired new to the district. Hours of work day, duties, and lunch duty will be determined by the planning team and contained in the Personnel Staff Contract. The school year will meet or exceed minimum statutory requirements.
- **Replacement Plan:** Roncalli's innovation planning team and BLT will determine the expectations, duties, and calendar and publish them for all employees.

Section 22-32-109-(1)(n)(I), n(II)A, and n(II)B C.R.S. to determine the school calendar, teacher-pupil contact hours and school days.

- **Request:** Roncalli requests waivers from these local board duties to create an extended calendar, lengthen the school day and school year to meets the needs of the students in the school.
- **Rationale:** Roncalli MS will be able to support the implementation of the Science, Technology, Engineering and Math (STEM) with a longer school day and more time for professional development and collaboration.
- **Replacement Plan:** The school schedule and calendar are in Appendix 10.

Section 22-32-109 (1)(t) C.R.S. to determine the educational programs to be carried on in the schools of the district and to prescribe the textbooks for any course of instruction or study in such programs.

- **Request:** Roncalli requests flexibility to adopt its own education program including selecting curriculum and textbooks.
- **Rationale:** Roncalli School of Innovation will be responsible its STEM and Project Lead the Way curricula, the textbooks to support the curriculum, and professional development. By waiving the state statute and district policies, the school will be able to implement the programs, curriculum and provide training to support the implementation of the instructional programs they have selected.
- **Replacement Plan:** The school's innovation plan details the curriculum, textbook and training.

Section 22-63-201 C.R.S. Teacher Employment Act – Requirement to hold a certificate

- **Request:** Roncalli Middle School requests waivers from the Teacher Employment Act for only those staff that would be in non-core content areas. In the event there a position that is non-core, the school requests a waiver from the requirement to hold a teaching license.
- **Rationale:** If there were a position that is in a non- core subject area, the school would require the individual to have a minimum of a B.A. or certification in their profession and follow the district's application process including background checks, fingerprinting and equal employment policies.
- **Replacement Plan:** In accordance with NCLB requirements, all core content instructional staff employed at Roncalli MS will have a valid teaching license and meet subject matter competency requirements for the teaching subject.

Sections 22-63-201 through 203, 22-63-301 through 302, and 22-63-401 through 403, C.R.S.

- **Request:** Roncalli requests waivers from these sections of the Teacher Employment, Compensation, and Dismissal Act to allow the school to hire unlicensed teachers, to operate free from teacher employment contracts, to employ teachers as at-will employees, and to determine compensation for teachers.
- **Rationale:** The schools want to have staff that is committed to the new innovation plan. Teachers who are currently at Roncalli but are not rehired through mutual consent will be displaced. Because of the potential number of teachers affected and lack of positions in other schools, it may be necessary to exempt displaced Roncalli teachers from the mutual consent provisions and priority hiring pool process on a one-time basis for the 2013-2014 school year. This would avoid overstaffing and an excessive number of teachers being placed in the priority hiring pool. Therefore, displaced Roncalli teachers who do not secure positions through mutual consent may be assigned to schools without following the mutual consent process, one time only. These waivers shall only apply to those Roncalli teachers who are displaced in the first year and who do not secure a position through mutual consent. After these teachers are placed in 2013-14, this exception for each of them shall end. The school has the authority to issue its own employment offer letters to newly hired teachers. The letter

outlining the terms of employment, including at-will employment for those teachers hired new to the district. Roncalli and other innovation schools will have the same compensation structure for additional work, incentives, and performance pay. The teacher contract will be developed in collaboration with the district's attorney.

- **Replacement Plan:** See rationale above. In addition, the District's salary schedule will be used as a guideline and the schools will determine the placement of teachers on the salary schedule. The innovation schools have negotiated a waiver from the Pueblo Education Association (PEA) for experience credit, pay for performance, and compensation will be adjusted accordingly.

Sections 22-63-206 C.R.S. Transfers Nothing in this section shall be construed as requiring a receiving school in to involuntarily accept the transfer of a teacher. All transfer positions at other schools of the school district shall require the consent of the receiving school.

- **Request:** Roncalli requests a waiver that all teachers who are not rehired through mutual consent be exempt from mutual consent and be transferred to another school for the 2013-14 school year only.
- **Rationale:** Because of the potential number of teachers affected and lack of positions in other schools, it may be necessary to exempt displaced Roncalli teachers from the mutual consent provisions and priority hiring pool process on a one-time basis for the 2013-2014 school year. This would avoid overstaffing and an excessive number of teachers being placed in the priority hiring pool.
- **Replacement Plan:** See rationale above. The Pueblo Education Association (PEA) has negotiated with the district to waive provisions in the collective bargaining agreement for when transfers may occur, allowing more flexibility to hire teachers from other district schools at any time of the year, if a vacancy should occur.