



**COLORADO**  
Department of Education

**Charter School Non-Automatic Waiver Request Addendum**

**Contact Information**

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

**Statutory Citation and Title:**

**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 charter school leader 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 school leader. The BOD must also have the ability to perform the evaluation for the school leader or designated head of school. Additionally, the charter school should not be required to report their teacher or Administrator evaluation ratings as a part of the commissioner's report as required by C.R.S. 22-2-112(1)(q)(I)

**Replacement Plan:** The charter school will ensure that educators are hired who meet or exceed the criteria of being Highly Qualified, as specified in the CDE Handbook for Districts in Colorado published in January, 2015 in accordance with the No Child Left Behind provisions.

**Statutory Citation and Title:**

**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***

**Rationale:** The charter school will prescribe the actual details of its own school calendar to best meet the needs of its students. The authorizing board will not set these policies and the charter school will have a calendar that differs from the rest of the schools within the district.

**Replacement Plan:** The final calendar and the school's daily schedule will be designed by the charter school and will meet or exceed the expectations in state statute.

**Statutory Citation and Title:**

**C.R.S. 22-32-109(1)(n)(II)(A) Determine teacher-pupil contact hours**

**Rationale:** LAE will be responsible for designing a calendar along with a corresponding weekly and daily schedule that is appropriate for each grade-level and fitting with the philosophy of the school.

**Replacement Plan:** Teacher-pupil contact hours will meet or exceed the amount required by the state and district for full funding. Teachers will additionally be requested to offer 120 hours per week of “scholar hours” in which additional support and tutoring will be provided to the pupils in their classes.

**Statutory Citation and Title:**

**C.R.S. § 22-63-201 *Employment-Certificate required***

**Rationale:** LAE 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 providing its own training. Therefore, LAE requests that these statutory duties be waived or delegated from the Douglas County School District Board of Education to the LAE School Director. The academic and financial success of LAE depends in large part to its ability to select, employ, pay, train, and direct its own staff. All LAE staff will be employed on an at-will basis.

**Replacement Plan:** All LAE staff will receive an Offer of Employment Letter and a copy of the LAE Employee Handbook.

Employee Handbook, which details the procedures and policies that will govern their employment at LAE. Each employee will sign an Employee Statement of Acknowledgement that states that they have read and understood LAE employment policies. These policies will meet or exceed state requirements, including a requirement that teachers demonstrate that they are “in field”, defined as follows: A teacher is “in-field” if she or he meets at least one of the following criteria: 1) Holds a BA or higher in the relevant subject area; 2) Has completed 36 semester credit hours in the subject matter to be taught; or 3) has a passing score on a State Board approved content exam in the relevant subject area.

Expected Outcome: As a result of these waivers, the school will select, employ and provide professional development for its own teachers and staff, in accordance with the terms and conditions set by this Charter School Contract. As a result of this waiver, SVA will be able to employ professional staff possessing unique skills and/or background experience filling all staff needs.

**Statutory Citation and Title:**

- C.R.S. §22-63-202 Teacher Employment, Compensation and Dismissal Act-Contracts in writing, damage provision***
- C.R.S. §22-63-203 Teacher Employment, Compensation and Dismissal Act, Probationary Teachers-Renewal and non-renewal of employment contract***
- C.R.S. § 22-63-206 Teacher Employment, Compensation and Dismissal Act***

**Rationale:** The charter school should be granted the authority to develop its own employment offer letters and terms and conditions of employment. The school will be operating differently from other schools with a unique curriculum for which having the proper teaching staff is essential. The charter school is granted the authority under the Charter School Agreement to select its own teachers. The authorizer should not have the authority to transfer its teachers into the charter school or transfer teachers from the charter school to any other schools, except as provided for in the Charter School Agreement.

**Replacement Plan:** Offer letters are submitted to staff at the time of their employment. The charter 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 hire teachers on a best qualified basis. There is no provision for transfers.

**Statutory Citation and Title:**

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

and **C.R.S. § 22-7-1019(4) which requires the school to be** relieved from the requirement to report school readiness data to the State.

**Rationale:** Leman Academy of Excellence should have sole authority to implement relevant curriculum and assessments that ensure students success in higher learning. The domains of physical well-being, motor development, social-emotional development, language and comprehension development, and cognition and general knowledge have been and are being assessed daily through the use of existing curriculum and assessments. Support is readily available through numerous avenues based throughout the program.

**Replacement Plan:**

1. The school will administer a school readiness assessment of all kindergarten students within the first 60 calendar days of the school year.
2. The school readiness assessment will be inclusive of the following domains (which align to the State Board-approved reporting format):
  - a. Physical well-being and motor development
  - b. Social and emotional development
  - c. Language and comprehension development
  - d. Cognition
  - e. General knowledge – math
  - f. General knowledge – literacy
3. The assessment instrument will be research-based, valid, and reliable.
4. The school will develop individualized readiness plans informed by the school readiness assessment data for all kindergarten students.
5. The results of the school readiness assessments will not be used to deny a student admission or progression to first grade.
6. A charter school administering a State Board-approved READ Act assessment within the first 60 calendar days of the school year may fulfill the requirement to administer the literacy component of the school readiness assessment. If a charter school chooses not to administer a State Board-approved READ Act assessment within the first 60 calendar days of the school year, the charter school must administer the literacy component of the school readiness assessment within the first 60 calendar days of the school year and a State Board-approved READ Act assessment.
7. In lieu of participating in the state reporting, the school will keep trend information on file that can be used to inform a continuous improvement process for the school as it relates to supporting students with school readiness success.

**Plan:** Lemay Academy of Excellence Kindergarten has three full day programs and two half-day programs that utilize classical curriculum. The curriculum maps ensure that this program meets or exceeds Common Core/State Standards.

Each domain is targeted in the following ways:

### **1. Physical Well-Being and Motor Development**

- Full-day kindergarten students participate 60 times per year in structured physical education classes where curriculum maps are aligned with Common Core and Physical Education Standards, ensuring that instruction meets or exceeds Common Core/ State Standards. Students are assessed on developmentally appropriate motor-development skills as they are acquired throughout the year. In addition students participate in recess two times per day on a playground designed to focus on targeted muscle groups and coordination skills. Students will be assessed throughout the year in regards to motor development.
- Full-day kindergarten students participate 40 times per year in Art education, meeting or exceeding state standards. Development of fine motor skills is achieved through of drawing, painting and creating objects. Students are assessed on fine motor skills acquired throughout the year.
- Full-day kindergarten students participate 40 times per year in music education meeting or exceeding state standards. Students participate in a variety of movement and rhythm exercises. Students are assessed on motor development throughout the year.
- Assessment information is gathered by observation protocols based on appropriate developmental guidelines and Common Core/State Standards in the area of physical well-being and motor development.

### **2. Social-Emotional Development (based on Common Core/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 reward for the positive behavior they demonstrate.
- Various classroom positive behavior techniques are implemented. These include individual behavior charts, and whole class rewards. This is to strengthen self-regulation and executive-function that help them pay attention, remember directions and control their behavior.

Students are guided in the areas of self-care and advocacy, peer accountability, promoting positive school and classroom culture, and celebrating successes of self and others through the full integration of the our Character Education program (i.e. Respect, Responsibility, Integrity, Honesty, Compassion, etc.).

- 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 Common Core/State Standards)**

- Students receive instruction 120 minutes each day using the LAE Classical Language Arts, Shurley Grammar, and LAE Classical Writing. These are comprehensive programs for reading writing, listening and speaking that build vocabulary and knowledge. Students master sounds and letters for fluent decoding and encoding and build knowledge, language and vocabulary that are essential for comprehension. Assessments are administered as prescribed (and as teachers see the need for additional progress monitoring) per the curriculum to monitor growth. Dibels is administered three times per year. Any student who does not make benchmark is progress monitored every 10 days to note progress. Students not making benchmark continue to be assessed with the Dibels assessment 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 30 additional minutes of small group instruction daily.

#### **4. Cognition and General Knowledge (based on Common Core/State Standards)**

- Students receive 60 minutes of math instruction using Saxon Math curriculum. This meets or exceeds Common Core/State Standards for math. Assessment is given each week 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 topics including: Plants and Animals, Animals and Their Needs, Human Body (including taking care of their body with exercise, cleanliness, healthy foods and rest), Introduction to Magnetism, Seasons and Weather, and Taking care of the Earth. Assessment is given regularly to monitor progress.
- History and Geography - Students are instructed on various topics including: Geography - Spatial Sense (working with maps and globe students recognize rivers, lakes, mountains, Atlantic and Pacific Oceans and North and South Pole) and an overview of the seven continents. Assessments are given regularly to monitor progress.
- Assessments information is gathered from formal curriculum assessments and classroom teacher observations based on appropriate developmental guidelines and Common Core/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. Rtl plans are developed with the support documentation attached. The information includes results of formal assessments, informal assessments and developmental checklists. The information is housed both in EADMS, Infinite Campus and Schoology, which are internet-based student data management systems.

If students do not respond with adequate growth following this intervention they may be referred to a Physical/Occupational Therapist; Psychologist; Speech/Language Therapist, and SPED Teacher for further assessment.

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).

**Duration of the Waiver:** Lemman Academy of Excellence (LAE) requests that the waiver be for the duration of its contract with Douglas County School District RE-1. Therefore, the waiver is requested until **June 30, 2021**.

**Financial Impact:** Lemman Academy of Excellence anticipates that the requested waiver will have no financial impact upon Douglas County School District RE-1 or LAE.

**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 LAE's curriculum and the overall program design.

**Expected Outcomes:** LAE expects that as a result of this waiver, we will be able to continue to provide appropriate assessments and support that ensure student success in higher levels of learning in all academic content areas.