



## **Aurora Academy Charter School Waivers from State Statute Charter Contract 2015-2020 (House Bill 17-1375)**

### **Automatic Statute Waivers**

**C.R.S. 22-1-112 School Year – National Holidays.** This statute sets a state school year and national holiday schedule. A waiver of this statute authorizes a charter school to develop its own school calendar that fits its unique needs.

Rationale: Aurora Academy should be granted the authority to set its own school calendar to incorporate time for professional development tailored to the chosen educational program and curricula.

**C.R.S. 22-32-109(1)(f) Local Board Duties Concerning Selection of Staff and Pay.** This statute authorizes each school district to employ and compensate all personnel required to maintain the operations and carry out the educational program of the district. A waiver of this statute allows a charter school to hire its own staff and set compensation structures independent from the district.

Rationale: Aurora Academy should be granted the authority to hire its own operational staff to create and maintain organizational efficiencies within the building, in keeping with its individual budget.

**C.R.S. 22-32-109(1)(t) Determine Educational Program and Prescribe Textbooks.** This statute authorizes each school district to determine its educational programs and prescribe textbooks for such programs. A waiver of this statute enables a charter school to choose its own educational program and textbooks in accordance with its charter application as approved by its authorizer.

Rationale: Aurora Academy should be granted the authority to determine its own educational program, based on the Core Knowledge curriculum, as specified in its charter with the district (the authorizer), as well as the authority to purchase the textbooks and materials that support this learning program.

**C.R.S. 22-32-110(1)(h) Local Board Powers – Terminate Employment of Personnel.** This statute authorizes each school district to terminate the employment of personnel. A waiver of this statute permits a charter school to terminate its own personnel.

Rationale: Aurora Academy should be granted the authority to terminate its own employees to insure compatibility with its unique educational and behavioral approaches.

**C.R.S. 22-32-110(1)(i) Local Board Duties – Reimburse Employees for Expenses.** This statute authorizes each school district to reimburse employees for work-related expenses. A waiver of this statute permits a charter school to adopt its own policies and procedures for employee expense reimbursement.

Rationale: Aurora Academy should be granted the authority to approve and pay for school purchases, including reimbursements to employees for authorized out-of-pocket expenses out of its own operating budget.

**C.R.S. 22-32-110(1)(j) Local Board Powers – Procure Life, Health, and Accident Insurance.** This statute authorizes each school district to obtain insurance coverage for its employees. A waiver of this statute permits a charter school to negotiate and procure its own group life, health, or accident insurance coverage for its employees.

Rationale: Aurora Academy should be granted the authority to purchase employee benefits and required insurance coverages out of its own operating budget.

**C.R.S. 22-32-110(1)(k) Local Board Powers – Policies Related to In-service Training and Official Conduct.** This statute authorizes each school district to adopt written policies relating to employee efficiency, in-service training, professional growth, official conduct, and welfare of employees. A waiver of this statute permits a charter school to adopt its own policies in these areas.

Rationale: Aurora Academy should be granted the authority to adopt conduct policies and provide in-service training and other professional growth opportunities that create a professional, supportive atmosphere within the school, as well as support the specific learning program.

**C.R.S. 22-32-110(1)(ee) Local Board Powers – Employ Teachers’ Aides and Other Non-certified Personnel.** This statute authorizes each school district to employ teachers’ aides and other non-licensed personnel. A waiver of this statute permits a charter school to employ its own teachers’ aides and other non-licensed personnel.

Rationale: Aurora Academy should be granted the authority to employ teachers’ aides and other non-licensed personnel of various backgrounds that can best meet the school’s overall goals and objectives and best serve the students.

**C.R.S. 22-32-110(1)(y) Local Board Powers – Accept gifts, donations and grants.** This statute authorizes each school district to accept gifts, donations, or grants of any kind made to the district and to expend or use said gifts, donations, or grants in accordance with the conditions prescribed by the donor; but no gift, donation, or grant shall be accepted by the board if subject to any condition contrary to law.

Rationale: Aurora Academy should be granted the authority to accept gifts, donations and grants that are specifically designated by donors for Aurora Academy’s unique programs and meant to offset the costs of implementing those specific programs which Aurora Academy funds out of its own operating budget, and which are not subject to any condition contrary to law.

**C.R.S. 22-32-126 Employment and Authority of Principals.** This statute authorizes each school district to employ licensed principals. A waiver of this statute permits a charter school to employ its own, possibly non-licensed principals.

Rationale: Aurora Academy should be granted the authority to employ a Principal who can best lead the Aurora Academy staff, develop a supportive school culture and promote the specific learning program and conduct policies.

**C.R.S. 22-33-104(4) Compulsory School Attendance.** This statute requires each school district to adopt a written policy setting forth attendance requirements. A waiver of this statute permits a charter school to adopt its own attendance requirements in accordance with applicable laws and regulations (e.g., C.R.S 22-33-104; 1 CCR 301-78.)

Rationale: Aurora Academy should be granted the authority to create attendance policies that promote the best educational outcome for students and communicates these policies to parents and/or guardians at the time of enrollment.

**C.R.S. 22-63-301 Teacher Employment, Compensation, and Dismissal Act – Grounds for Dismissal.**

This statute sets forth the state procedures for teacher dismissal. A waiver of this statute permits a charter school to exercise at-will employment and determine its own procedures for teacher dismissal, provided that decisions are made in accordance with applicable laws and regulations.

Rationale: Aurora Academy should be granted the authority to dismiss employees that cannot promote the chosen educational program, the conduct policies, have a negative impact on school culture, or who violate specific policies communicated to all staff, while adhering to all applicable laws and regulations for such dismissal.

**C.R.S. 22-63-302 Teacher Employment, Compensation and Dismissal Act – Procedures for Dismissal of Teachers.** This statute sets forth the state procedures for teacher dismissal. A waiver of this statute permits a charter school to exercise at-will employment and determine its own procedures for teacher dismissal, provided that decisions are made in accordance with applicable laws and regulations.

Rationale: Aurora Academy should be granted the authority to implement procedures for teacher dismissal that are the most efficient and equitable for the entire school community, while adhering to all applicable laws and regulations for such dismissal.

**C.R.S. 22-63-401 Teacher Employment, Compensation, and Dismissal Act – Teacher Subject to Adopted Salary Schedule.** This statute authorizes each school district to adopt a teacher salary schedule. A waiver of this statute permits a charter school to create its own salary schedule that fits its unique needs.

Rationale: Aurora Academy should be granted the authority to create its own salary schedule tailored to its individual budget.

**C.R.S. 22-63-402 Teacher Employment, Compensation, and Dismissal Act – Certificate Required to Pay Teachers.** This statute authorizes each school district to pay only licensed teachers. A waiver of this statute permits a charter school to pay non-licensed teachers, provided that the school has a waiver from C.R.S. 22-63-201 (relating to the requirement to employ licensed teachers.)

Rationale: Aurora Academy should be granted the authority to pay non-licensed teachers that have been hired as the best candidates to meet the school's overall goals and objectives and best serve the students.

**C.R.S. 22-63-403 Teacher Employment, Compensation, and Dismissal Act – Payment of Salaries upon Termination.** This statute requires that upon the dismissal of a teacher and prior to the end of that teacher's employment contract, each school district must pay the pro rate share of salary installments due and payable under the employment contract for the period during which no services are required to be performed. Consistent with the at-will nature of charter school employment, a waiver of this statute enables a charter school to terminate a teacher's pay upon dismissal, provided that decisions are made in accordance with applicable laws and regulations.

Rationale: Aurora Academy should be granted the authority to terminate a teacher's pay upon dismissal in consideration of the specific circumstances of dismissal and as related to the at-will nature of the employment contract.

For additional questions about this school's waivers, please use the following contact:

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