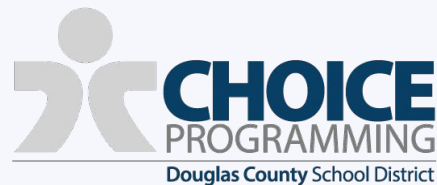


# DCSD CHARTER SCHOOL WAIVER PROCESS

January 2023



# Charter School Waiver Guidance

C.R.S. § 22-30.5.1-101 to -117 permits Charter Schools to operate free from specified state statutes and rules in accordance with waiver procedures set forth in the Charter School Act. \*

The Act provides that DCSD address releasing Charter Schools from District policies pursuant to a Charter School contract approved by the District Board of Education.

To systematically support DCSD Charter Schools in requesting waivers from District Policy, this guidance and process outlines the types of waivers available to Charter Schools, and the procedures for requesting them.

# Building a Process Over Time

## *What does this mean for DCSD?*

- Charter Schools in DCSD have always submitted waiver requests to the BOE during their contract negotiations in their charter renewal cycle
- All waiver requests to DCSD Policies will continue to be submitted to the BOE for consideration during renewals
- In order to systematize the waiver request process, all DCSD Charter Schools have updated their waiver requests aligning to this new template and process to be considered by the Board of Directors in Spring 2023
- Charter schools in CO have the ability to request waivers from District Policies at any time, and will continue to have that ability
- Having all DCSD Charter Schools using an aligned template and process allows DCSD Choice Programming, DCSD Legal, and the DCSD BOE for an aligned review process

# Building a Process Over Time

Updates to the DCSD Waiver Process have been in progress for more than 5 years



**Identified need to improve DCSD Waiver Process.**

Feedback from multiple stakeholders

**Study Session with the BOE and Choice Programming to introduce the process updates**

**Choice Programming worked with charter leaders to have all waivers submitted using new templates**

Additional feedback and updates to the process

**Master List of requested waivers compiled**

Presentation to BOE on 1-10-23

Outline for the systemic waiver process moving forward

# DCSD Types of Waivers to District Policy

- Automatic

- Automatic Recommendation from DCSD Choice Programming to the Board of Education to waive with minimal rationale submitted on the DCSD common template

- Non-Automatic

- Recommendation to waive with clear Rationale and Replacement Plans Submitted on the DCSD common template

- Non-Waivable

- No recommendation to waive

\*A full matrix has been compiled to categorize all DCSD Policies into these three types.

\*A master list of each DCSD Policy was aligned to show which charter schools are requesting each policy

# Building a Process for DCSD Over Time

## Automatic Policy Waiver

### Colorado State Automatic Waivers

DCSD Board Policies were examined for alignment to existing State of Colorado Policies that have been determined by the State Board to be Automatic Waivers,



DCSD Policies which are identified as Automatic requests for waiver require a link, or description identifying how the intent of the policy will be met.

## Non-Automatic Policy Waiver

### Colorado State Non-Automatic Waivers

DCSD Board Policies were examined for alignment to existing State of Colorado Policies that have been determined by the State Board to be Non -Automatic Waivers,



DCSD Policies which are identified as Non-Automatic requests for waiver require a rationale and replacement plan for the requested policy waiver.

## Non-Waivable Policies

### Policies identified as State and Federal Law

Collaboratively, multiple stakeholders (including Charter Leaders), identified DCSD Policies that should be identified as Non-Waivable due to alignment with State and Federal Law.



These policies are not available to DCSD Charter Schools to request for waiver in this process.

# Outcomes and Next Steps

- DCSD Choice Programming will present all it recommends for waivers to the Board of Education for consideration in the Spring of 2023
- By submitting all DCSD Charter School waiver requests using this new template and process this spring will allow for DCSD to fully institute the systemic waiver process
- Going forward, all DCSD Charters will be required to submit waivers to CDE for State Waivers, as well as to the DCSD BOE during their charter renewals.
- Charter Schools may request additional waivers in the future in alignment with the school's contract.

# Questions and Discussion