

State Law Waiver Requests
For
Vanguard Classical School

June 6, 2018

Pursuant to the C.R.S. 22-30.5-105, Vanguard Classical School (VCS) requests waivers of certain Colorado Revised Statutes. These requests include those waivers automatically approved by the state and others typically requested by new charter schools. We believe that the outcome of these waivers and their replacements will enable the school to better accomplish its mission, goals, and implement its educational program.

VCS also requests the School District to apply on its behalf to the State Board of Education for waiver of the other state laws set forth below. VCS requests all such waivers for the duration of its charter school contract with the School District.

1. Non-Automatic Waivers

22-32-110(1)(y) Local Board Powers – Accepting gifts, donations, grants

Rationale: In order to ensure that Vanguard Classical School is able to operate critical aspects of its model outside of its core programs, the school engages in fund development efforts. Funds are raised from a wide range of foundations, corporations, and individuals. In addition, the school occasionally receives gifts, which can be used to further support the programs. It is the responsibility of Vanguard to engage in responsible fundraising efforts and to receive and execute gifts, donations and/or grants in alignment with the donors' wishes along with local, state and federal laws. In cases of giving in which funds are unrestricted, the School, with the support of the School's Board and Finance Committee, determines the most effective use of the funds.

Replacement Plan: Vanguard Classical School's Fiscal Policies and Procedures Handbook and Vanguard's board policies and bylaws contain our policies tied to the accepting of gifts, donations and grants.

Duration of Waivers: We formally request the waiver be in effect for the duration of our contract with Aurora Public Schools. Therefore, the waiver is requested through June 30, 2019.

Financial Impact: None

How the Impact of the Waivers Will be Evaluated: The impact of this waiver will be measured by the performance of the school and its staff.

Expected Outcome: As a result of this waiver, the school will be able to carry out its educational programs, administer its affairs in an efficient manner and accomplish its mission.

22-9-106. C.R.S. Local board duties concerning performance evaluations for licensed personnel - Requires school districts to have a written system and related procedures to evaluate the performance of school district certified personnel.

Rationale: The school administration must have the ability to perform the evaluation of all personnel. Should the principal not have a Type D certificate, this should not preclude him or her from administering the evaluations.

Replacement Plan: VCS has an evaluation process for all employees that include formal and informal observations, data analysis, student progress and growth, and school engagement. It is also aligns with the spirit and intent of the statute, including training of the evaluator.

Financial Impact: None

How the Impact of the Waivers will be Evaluated: Since teacher performance has a critical impact on the performance of the entire school, the impact of this waiver will be measured by the individual student growth.

Expected Outcome: With this waiver, VCS will be able to implement its program and evaluate its teachers in accordance with its Performance Appraisal System, which is designed to produce greater accountability and be consistent with the schools goals and objectives.

22-2-112(1)(q)(I) Commissioner Duties – Reporting Performance Evaluation

Ratings Rationale: Vanguard Classical School already has in place a waiver from C.R.S. 22-9-106. C.R.S. Local board duties concerning performance evaluations for licensed personnel - affording the designated head of school the ability to perform the evaluation of all personnel. Additionally, Vanguard will not be required to report their teacher evaluation ratings as part of the commissioner’s report as required by C.R.S. 22-2-112(1)(q)(I).

Replacement Plan: VCS uses its own evaluation system as agreed to in the Charter School Agreement with Aurora Public School District. Vanguard’s evaluation system meets the intent of the quality standards established in SB 10-191. VCS will not be required to report their teacher evaluation data; however, teacher performance data will be reviewed by the school and used to inform hiring practices and professional development.

Duration of Waivers: We formally request the waiver be in effect for the duration of our contract with Aurora Public Schools. Therefore, the waiver is requested through June 30, 2019.

Financial Impact: None

How the Impact of the Waivers Will be Evaluated:

Since this area has a critical impact on performance of the entire school, the impact of this waiver will be measured by the same performance criteria and assessments that apply to the school.

Expected Outcome: With this waiver, VCS will be able to implement its own program and evaluate its teachers in accordance with the spirit of the SB 10-191 Colorado State

Evaluation system. It is designed to produce greater accountability and be consistent with the schools goals and objectives.

22-7-1014(2)(a) C.R.S. Preschool Individualized Readiness – Assessments

Rationale: Vanguard should have the authority to implement relevant curriculum and assessments that ensure student’s 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: Vanguard Classical School Kindergarten is a full day program that utilizes the Core Knowledge Curriculum. Our curriculum maps ensure that, in addition to the Core Knowledge Standards, National Art Standards, National Physical Education Standards, our program meets or exceeds the Common Core/State Standards.

Duration of Waivers: We formally request the waiver be in effect for the duration of our contract with Aurora Public Schools. Therefore, the waiver is requested through June 30, 2019.

Financial Impact: None

How the Impact of the Waivers Will be Evaluated: The impact of this waiver will be measured by the performance criteria and assessments that apply to Vanguard Classical School’s curriculum and the overall program design.

Expected Outcome: Vanguard Classical School 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.

22-32-109(1)(z), C.R.S. Local board to provide in-service training on child abuse and neglect – Requires local board to provide periodic in-service training on recognizing and reporting suspected incidents of child abuse or neglect.

Rationale: As an independent charter school, VCS will provide its own scheduled professional development days and times that will match or exceed those offered by the district.

Replacement Plan: VCS has established its own policies concerning and in compliance with the Child Protection Act of 1987. Similar policies are already in effect for the parent company’s administration of the Head Start/Early Head Start Grants. VCS will determine its own schedule for in-service training and conduct this training on a yearly basis. Training will meet or exceed state requirements.

Financial Impact to the District: None

How the Impact of the Waiver will be Evaluated: The impact of this waiver is that VCS can train its staff according to a schedule that best suits the school and its students. All teachers and support staff will be provided training with regard the Child Protection act of 1987 during initial training.

Expected Outcome: The teachers and staff of VCS will be trained in the recognition and reporting of child abuse and neglect.

22-32-109(1)(cc), C.R.S. Dress code –Requires local board to adopt a dress code policy for teachers and other school employees.

Rationale: VCS is responsible for its own personnel matters, including dress code.

Replacement Plan: VCS has adopted a standard of dress for all students, teachers, and staff in agreement with its philosophies and values as put forth in the charter document.

Financial Impact to the District: None

How the Impact of the Waiver will be Evaluated: The impact of the waiver will allow VCS to implement its stated philosophies.

Expected Outcome: Staff, teachers, and students will dress appropriately and respectfully to improve performance, diminish socio-economic differences, and promote safety and respect for learning.

22-32-109.7, C.R.S. Board of Education specific duties, selection of personnel -
Requires the district, prior to the hiring of staff, to conduct background checks as to prior criminal conduct, and grants certain immunity to school districts regarding criminal conduct of employees to the extent the district relies, in good faith, on information discovered during the background check.

Rationale: Because employees of VCS are not district employees, VCS has established its own policies and procedures relative to background checks of prospective employees with the same goal of providing a safe and secure environment for its students.

Replacement Plan: Full background checks will be done, prior to hiring all employees of VCS, including checks with the district and CDE. The district has agreed to delegate this authority to the school.

Financial Impact to the District: None

How the Impact of the Waiver will be Evaluated: Personnel files will contain the record of background checks and all required information.

Expected Outcome: Compliance with the spirit of the statute to ensure safe schools.

22-32-109.8, C.R.S. Fingerprinting - Requires board to make certain inquiries and background checks prior to hiring applicants; provides for district to require certified personnel to submit fingerprints in certain instances.

Rationale: Because employees of VCS are not district employees, VCS has established its own policies and procedures relative to background checks of prospective employees with the same goal of providing a safe and secure environment for its students.

Replacement Plan: Fingerprinting will be required of all employees, licensed or unlicensed, and for all in school volunteers at VCS. This waiver is for licensed personnel and the district is delegating this authority to the school.

Financial Impact to the District: None

How the Impact of the Waiver will be Evaluated: Personnel files will contain the record of background checks and all required information.

Expected Outcome: Compliance with the spirit of the statute to ensure safe schools.

22-32-109.9, C.R.S. Fingerprinting - Requires board to make certain inquiries and background checks prior to hiring applicants; provides for district to require certified personnel to submit fingerprints in certain instances.

Rationale: Because employees of VCS are not district employees, VCS has established its own policies and procedures relative to background checks of prospective employees with the same goal of providing a safe and secure environment for its students.

Replacement Plan: Fingerprinting will be required of all employees, licensed or unlicensed, at VCS. This waiver is for licensed personnel and the district is delegating this authority to the school.

Financial Impact to the District: None

How the Impact of the Waiver will be Evaluated: Personnel files will contain the record of background checks and all required information.

Expected Outcome: Compliance with the spirit of the statute to ensure safe schools.

22-32-119, C.R.S. Kindergarten – Permits the board to establish and maintain kindergartens, prescribe courses of training, study, and discipline and rules and regulations governing such kindergarten programs.

Rationale: VCS is responsible for the design of its own educational program in agreement with its philosophies and values as put forth in the charter document and contract with the district, independent of the district.

Replacement Plan: VCS has established its own kindergarten programs, curriculum, policies and rules governing them and will be responsible for the selection of all educational materials to be used in the school, specifically the Core Knowledge Sequence. The district has delegated this authority to the school via the contract.

Financial Impact to the District: None

Expected Outcome: VCS will be able to fully implement its chosen educational program.

22-1-110, C.R.S. Effect of use of alcohol and controlled substances - Specifies how, when, and to what extent the effects of alcohol and controlled substances will be taught in all grade levels, designated by the district.

Rationale: VCS is responsible for the design of its own educational program in agreement with its philosophies and values as put forth in the charter document, independent of the district, including when and what to teach about the use of alcohol and controlled substances.

Replacement Plan: VCS will be responsible for identifying the instructional materials and strategies *at each grade level as appropriate* to teach these topics consistent with the school's philosophy and character education program. Parents will have the opportunity to preview the materials to be used in the class and/or meet with a teacher.

Financial Impact to the District: None

How the Impact of the Waiver will be Evaluated: VCS will monitor and track student behavior trends per grade, as a school, and through individual student portfolios and

discipline records. The effectiveness will be evaluated by our administration as they review the implementation of all curricula and by our students and parents through our annual survey.

Expected Outcome: A waiver from the statute will allow the school to continue educating students in these topics as desired by the philosophies and values of the founders and as described to our parents in the Parent/Student Handbook.

22-1-110.5, C.R.S. Education regarding human sexuality – content standards –
allows the district to set the curriculum and timing for teaching human sexuality

Rationale: VCS is responsible for the design of its own educational program in agreement with its philosophies and values as put forth in the charter document, independent of the district, including when and what to teach and/or the appropriate teaching or not teaching of human sexuality in our K-8 school.

Replacement Plan: VCS will be responsible for identifying the instructional materials and strategies *at each grade level as appropriate* to teach these topics consistent with the school's philosophy and character education program. Parents will have the opportunity to preview the materials to be used in the class and/or meet with a teacher and have the choice to opt-out their student.

Financial Impact to the District: None

How the Impact of the Waiver will be Evaluated: VCS will monitor and track student behavior trends per grade, as a school, and through individual student portfolios and discipline records. The effectiveness will be evaluated by our administration as they review the implementation of all curricula and by our students and parents through our annual survey.

Expected Outcome: A waiver from the statute will allow the school to continue educating students in these topics as desired by the philosophies and values of the founders and as described to our parents in the Parent/Student Handbook.

22-32-109(1)(b), C.R.S. Local board duties concerning competitive bidding –
Authorizes the board to adopt policies for the efficient administration of district affairs, including procedures for competitive bidding

Rationale: VCS will determine its own policies and procedures necessary for the efficient administration of its affairs and will establish all necessary procedures to obtain competitive bids when prudent.

Replacement Plan: VCS will require competitive bidding whenever prudent, and on all non-curricular purchases over \$5000.

Financial Impact to the District: None

How the Impact of the Waiver will be Evaluated: The BOD of VCS will make decisions in the best interest of the school and in line with the school budget.

Expected Outcome: VCS can take advantage of limited time offers and discounts while maintaining fiscal responsibility.

22-32-109(1)(n)(I), C.R.S.
22-32-109(1)(n)(II)(A), C.R.S.
22-32-109(1)(n)(II)(B), C.R.S

Local board duties concerning the school calendar.
Determination of teacher-pupil contact hours
Adopt a district calendar - Authorizes the district to set the school calendar within certain minimum standards regarding instructional time as established by the state.

Rationale: VCS will be operating independently from other schools in the district and should be delegated the authority to establish its own school calendar and length of school day. VCS does not request a waiver of the minimum teacher contact hours however, the specific days on which these hours occur should be in the purview of the VCS board of directors.

Replacement Plan: VCS has established and adopted a school calendar that will meet or exceed state requirements for hours of instruction, on an annual basis. Calendar will be published after adoption by the BOD before the end of the previous school year. Teacher-pupil contact hours will meet or exceed the current requirements in statute.

Financial Impact to the District: None

How the Impact of the Waiver will be Evaluated: The impact of the waiver will be measured by the school's performance on state and school assessments and increased time for staff professional development.

Expected Outcome: The BOD of VCS will be able to adjust the school calendar according to the needs of the student body and the accomplishment of the school's mission and goals.

- 22-63-201, C.R.S.** **Teacher employment, compensation and dismissal act of 1990; Employment – License Required – Exception** - Prohibits Board from entering into an employment contract with a person who does not hold a teacher's certificate or letter of authorization.
- 22-63-202, C.R.S.** **Teacher employment, compensation and dismissal act of 1990; contracts in writing – duration – damage provision** - Requires written employment contracts with teachers, including damages provision and provides for temporary suspension of employment and cancellation of contract.
- 22-63-203, C.R.S.** **Teacher employment, compensation and dismissal act of 1990; probationary teachers – renewal and nonrenewal of employment contract** - Provides for contract with probationary teachers.
- 22-63-206, C.R.S.** **Teacher employment, compensation and dismissal act of 1990; transfer of teachers – compensation** - Permits transfer of teachers between schools upon recommendation of district's chief administrative officer.

Rationale: These four statutes most often concern teacher union contracts of which VCS is not a part. VCS should be and has been granted the authority to develop its own employment agreements and terms and conditions of employment. VCS should be

granted the authority to hire teachers and principals that will support the schools mission, goals, and objectives. VCS 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 or professional experience. All employees of VCS will be employed on an at-will basis. Replacement Plan: VCS will hire certified and non-certified teachers and principals. In some instances it may be advantageous to hire teachers and/or principals without a certificate who possess unique backgrounds and/or skills to enhance our program. Teachers will be expected to meet the definitions of “highly qualified” under NCLB. Vanguard has a teacher agreement with the terms of non-renewal and renewal of employment agreements, and payment of salaries upon termination of employment of a teacher. The Director will determine the placement of teachers. Transfers of staff are allowed by provision in the contract with the district. Non-renewed or dismissed teachers may appeal to the Vanguard Board of Directors.

Financial Impact to the District: None

How the Impact of the Waivers Will be Evaluated: Since teacher performance has a critical impact on the performance of the entire school, the impact of this waiver will be measured by the individual student growth.

Expected Outcome: As a result of these waivers, VCS will be able to employ professional staff possessing the unique skills and/or backgrounds enabling the school to fulfill its mission and goals.

2. District Policy Waiver Requests

June 6, 2018

Pursuant to C.R.S. 22-30.5-105, Vanguard Classical School (VCS) requests waivers of certain Aurora Public School District policies. The Charter School Act permits charter schools to operate free from specified state and local rules and regulations in order to effect innovative educational reform. These requests center on employment, curriculum, financial management and other aspects of school operations and are typical of those requested by new charter schools.

Listed below is each policy for which a waiver is being requested and its replacement strategy. All policies will reflect the intent of established APS district policies and comply with state and federal law. All waivers to be in force for the duration of the contract.

Section A – Foundations and Basic Commitments

AC and AC-R – Nondiscrimination on the Basis of Sex – defines the policy against discrimination based on sex and determines the procedure for filing grievances.

Rationale: The District does not want responsibility for the investigation of internal issues at VCS.

Replacement Plan: A similar plan that mirrors the District’s plan and complies with State Law with the Vanguard BOD as the final authority.

Financial Impact to the District: None

Expected Outcome: Clear prohibition of discrimination and grievance procedure.

AC – Protection from Intimidation – gives the superintendent the authority to develop procedures concerning intimidation of students and staff.

Rationale: VCS only wishes to waive disciplinary action according to district policy not the policy itself.

Replacement Plan: Violators will be subject to VCS disciplinary procedures.

Financial Impact to the District: None

Expected Outcome: Protection from intimidation or harassment.

ACE – Non-Discrimination on the Basis of Disability – defines the policy against discrimination based on disability and determines the procedure for filing grievances.

Rationale: The District does not want responsibility for the investigation of internal issues at VCS.

Replacement Plan: A similar plan that mirrors the District’s plan and complies with State Law with the Vanguard BOD as the final authority.

Financial Impact to the District: None

Expected Outcome: Clear prohibition of discrimination and grievance procedure.

ADF and ADF-R – School Wellness – creates wellness goals including physical and health guidelines.

Rationale: VCS is responsible for its own educational programs, lunch programs (under separate agreement), and schedule.

Replacement Plan: VCS currently has programs in place that satisfy the intent of this policy including recess, healthy snacks, health programs and education. All lunches meet FDA guidelines.

Financial Impact to the District: None

Expected Outcome: Students will develop lifelong healthy habits including daily physical activity and nutrition.

Section B – School Board Governance and Operations

BGB – Policy Adoption – Gives the Board the authority to adopt policies for all schools in the district.

Request: Vanguard only requests that it be notified in a timely manner of all new policies adopted by the Board so that, if appropriate, waivers may be obtained.

Section C – General School Administration - None Requested

Section D – Fiscal Management

DD, DD-R, and DD-E – Funding Proposals, Grants and Special Projects – establishes procedures for applying for grants and funding projects.

Rationale: Because Vanguard is responsible for its own financial management, it should be allowed to apply for grants following its own procedures.

Replacement Plan: VCS will establish its own policies and procedures for obtaining grants and funds for special projects.

Financial Impact to the District: None

Expected Outcome: Supplemental income to operate and fund programs.

DFA/DFAA and DFA-R – Revenues from Investments/Use of Surplus Funds – governs the investment of funds and establishes policies concerning the expenditure of revenues from investments and surplus funds.

Rationale: Because Vanguard is responsible for its own financial management, it should be allowed to invest and spend revenues at its discretion.

Replacement Plan: VCS will develop its own policies, procedures and administrative procedures concerning cash management and investment of any and all of its resources.

Financial Impact to the District: None

Expected Outcome: High investment return with maximum security.

DG – Banking Services – authorizes the district business office to choose banks and cash management strategies.

Rationale: Because Vanguard is responsible for its own financial management, it should be allowed to choose where its banking business is conducted.

Replacement Plan: VCS will chose its own banks and determine its own cash management strategies.

Financial Impact to the District: None

Expected Outcome: Competitive banking and investment rates.

DJB, DJB-1-R and DJB-2-R – Purchasing Guidelines – gives power to the district to set guidelines for purchasing supplies, equipment, materials and services.

Rationale: VCS is responsible for all items not purchased by the District.

Replacement Plan: VCS will be responsible for determining its own bidding and purchasing procedures and will establish its own practices for authorization of expenses for materials and services.

Financial Impact to the District: None

Expected Outcome: Prioritized and cost effective purchases needed for the operation of the school.

DJG – Vendor Relations – demands vendors get approval from the district before contacting the school.

Rationale: VCS is responsible for all items not purchased by the District.

Replacement Plan: VCS will establish its own policies and procedures concerning vendor relations.

Financial Impact to the District: None

Expected Outcome: Prioritized and cost effective purchases needed for the operation of the school.

DKA, DKA-R, DCAA, and DCAA-R – Payroll Procedures/Schedules and Final Salary Computation-Separated Employees – sets procedures and schedules for payroll.

Rationale: VCS is responsible for its own employees and payroll procedures.

Replacement Plan: VCS will determine its own payroll schedule and policies and will establish its own procedures for distributing paychecks.

Financial Impact to the District: None

Expected Outcome: Efficient and cost effective payroll system.

DKC and DKC-R – Employee Expense Authorization/Reimbursement – sets policies for expense reimbursements for school personnel.

Rationale: VCS is responsible for its payroll and expense procedures.

Replacement Plan: VCS will establish its own policies and procedures concerning expense reimbursements.

Financial Impact to the District: None

Expected Outcome: Effective expense reimbursement system.

Section E – Support Services

EBAB and EBAB-R – Hazardous Materials and Environmental Compliance – sets policies and procedures concerning hazardous materials and assigns authority to district

personnel to develop plans for evacuation, training and emergency response procedures.

Rationale: VCS is not a district run facility and only wishes to retain the authority to develop its own emergency response procedures and training.

Replacement Plan: VCS will establish its own policies and procedures concerning the use, storage, transportation, inventory and purchase of hazardous materials.

Financial Impact to the District: None

Expected Outcome: Compliance with all applicable laws and regulations.

EBBA and EBBA-E – Prevention of Disease/Infection Transmission – sets policies around the handling of body fluids and requires reporting to the APS Risk Management department.

Rationale: Reporting needs to be to VCS Risk Management and to APS only if appropriate.

Replacement Plan: VCS only wishes to retain the authority to establish its own procedures concerning the reporting of incidences involving body fluids.

Financial Impact to the District: None

Expected Outcome: Compliance with all applicable laws and regulations.

EBBB – Accident Reports – Requires all accident reports to be forwarded to the district.

Rationale: Accident reports are the responsibility VCS and its insurance carrier.

Replacement Plan: VCS will establish its own policies and procedures concerning filing and maintaining its own records.

Financial Impact to the District: None

Expected Outcome: Compliance with all applicable laws and regulations.

EBCB, EBCB-R, EBCB-E and EBCB-2-R – Emergency and Safety Drills – Establishes the conduct of drills and authorizes the district security office to make arrangements for the repairs.

Rationale: VCS will be responsible for development of security levels within district guidelines.

Replacement Plan: VCS plans will align with district policy.

Financial Impact to the District: None

Expected Outcome: A safe work/school environment.

EBCE and EBCE-R – School Closings and Cancellations – establishes a procedure for school closings, delayed openings, early dismissal, and employee compensation.

Rationale: VCS is responsible for its employee compensation plan.

Replacement Plan: VCS will generally follow the district's direction on school closings but will retain the authority to make independent decisions on safety and set all policies concerning employee benefits and compensation.

Financial Impact to the District: None

Expected Outcome: Clear and easy information to parents on school closings.

ECA, ECA-R, ECAA, ECAB, ECAB-R, and ECABA – Security/Access to Buildings and Staff/Student Identification Procedures – outlines the security procedures, requires alarm systems to be operated by the district and requires approval of the superintendent to hire security personnel.

Rationale: VCS is responsible for its own facilities and personnel.

Replacement Plan: VCS will establish its own policies and procedures concerning building security, building access and security/alarm systems

Financial Impact to the District: None

Expected Outcome: Secure and safe learning environment.

EDA-R and EDC-R – Maintenance and Control of Materials and Equipment/Authorized Use – sets policies and procedures for the storage, maintenance, control and authorized use of school owned materials and equipment.

Rationale: VCS is responsible for its own materials and equipment.

Replacement Plan: VCS will establish its own policies and procedures concerning the storage, maintenance, control and authorized use of its materials and equipment.

Financial Impact to the District: None

Expected Outcome: Control of all materials and equipment.

EEAG, EEAG-R and EEBB – Student Transportation in Private Vehicles by Employees – outlines the policies and procedures for the use of private vehicles for transportation and school business.

Rationale: VCS is responsible for its own facilities, vehicles, and insurance.

Replacement Plan: VCS will establish its own policies and procedures concerning the use of private vehicles for school use.

Financial Impact to the District: None

Expected Outcome: Consistent policy on vehicle use.

EFG and EFG-R– Catering and Food Service at School Activities /Events - requires district level approval for special events.

Rationale: VCS is responsible for its own food service, if provided.

Replacement Plan: VCS will establish its own policies and procedures concerning the use of its facilities for special events.

Financial Impact to the District: None

Expected Outcome: Control of privately owned facilities.

EGAEA and EGAEA-R – Computer and E-Mail – grants ownership of all electronic mail to the District and describes policies and procedures for the use of electronic mail.

Rationale: VCS is responsible for its own data and phone system.

Replacement Plan: VCS will establish its own policies and procedures for the use of electronic mail and will retain ownership of all electronic mail sent to and from the school, except reports and information sent to the district.

Financial Impact to the District: None

Expected Outcome: Internal control of school systems.

EGAF and EGAF-R – Telephone Service – establishes guidelines, policies and procedures for the use of school-owned, privately owned, and public telephones.

Rationale: VCS is responsible for all personnel issues in the school.

Replacement Plan: VCS will establish its own policies and procedures concerning the use of all communication devices and will choose its own service providers.

Financial Impact to the District: None

Expected Outcome: Uniform policy for all employees.

EI and EI-R– Insurance Program/Risk Management – Authorizes the Board to designate specific insurance companies and establish and implement a risk management policy.

Rationale: The district does not insure Vanguard Classical School.

Replacement Plan: VCS reserves the right to select its own insurance company(s) and design its own risk management programs.

Financial Impact to the District: None

Expected Outcome: Lower cost.

Section F – Facilities Planning and Development

FE, FEG, FEG-R and FEH– Facilities Construction and Supervision/Contracts Bidding and Awards – requires district board approval and superintendent supervision of all construction bidding, awards, projects and construction.

Rationale: VCS is responsible for acquiring and operating its own facilities.

Replacement Plan: VCS reserves the right to solicit and receive bids, enter into contracts and supervise construction and other projects without district approval using a competitive bidding process.

Financial Impact to the District: None

Expected Outcome: The district is not responsible for charter school facilities.

FF and FF-R – Naming of a School or Facility - describes the criteria to be used to select facility names and requires approval by the board.

Rationale: As a semi-autonomous charter school, VCS reserves all naming rights.

Replacement Plan: VCS will determine the criteria to be used for naming its facilities without district approval.

Financial Impact to the District: None

Expected Outcome: Vanguard Classical School

Section G – Personnel

All policies under Section G “Personnel”

Rationale: All of these policies have to do with personnel matters and fall under the automatic waivers granted from the State. Pursuant to the Charter Schools Act, VCS 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, VCS requests that these duties be delegated from the School District’s board of education to the principal and board of

directors of VCS. The success of the school will depend in large part upon its ability to select, employ, train and evaluate its own staff in accordance with the charter school contract and the goals and objectives of VCS. All school staff will be employed on an at-will basis.

Replacement Plan: VCS will be responsible for these matters rather than the School District. VCS's employment policies are set forth in the charter application.

Financial Impact: None. VCS must operate within its budget and the cost of employing staff has been included in that budget.

Expected Outcome: As a result of these waivers, VCS will select, employ, and train and provide professional development for its own teachers and staff, in accordance with the terms and conditions set forth in the charter school contract.

Including:

GBAA and GBAA-R – Non-Discrimination/Non-Harassment of Employees - the prohibition of racial harassment for employees, including counseling for victims of substantiated harassment, and the investigation by the District.

Replacement Plan: VCS Employee Harassment and Intimidation Policy.

EMPLOYEE HARASSMENT AND INTIMIDATION

It is the intent of VCS to provide a positive work environment that is free from harassing and intimidating behavior, actions, language, or any type of harassment. This includes, but is not limited to, harassment based on age, ability, religion, gender, affinity/sexual orientation, race or national origin. No employee shall physically or verbally harass or intimidate any other employee, customer, client, contractor, or visitor.

No employee shall solicit another employee for sexual or personal favors when failure to cooperate results in actual or threatened adverse wage, working conditions, working environment, or advancement opportunities.

If any employee feels that this policy is being violated, they should immediately put their complaint in writing and discuss the problem with the Director, the principal, or a VCS Board member. All reports will be investigated using the contracted Human Resources Services director.

GBEA and GBEA - R - Staff Ethics/Conflict of Interest - The prohibition of conflicts of interest, including determinations to be made by the District and procedures regarding contracting with employees.

Replacement Plan: VCS Conflicts of Interest policy.

CONFLICTS OF INTEREST

A conflict of interest exists when an employee is placed in a position where other interests, either financial or personal may compromise decisions that should be made in the best interest of the agency.

While it is not possible to illustrate every situation in which a conflict of interest might arise, the rules stated below are examples of those that most commonly create difficulty.

1. No employee may also serve as an officer or employee of any concern with which the corporation does business.

2. *No employee may have financial or other interest in any service provided by VCS. All dealings with existing or potential clients are solely matters of VCS.*
3. *No employee may personally accept or solicit from any entity with which VCS is involved, any gift or gratuity, favor, or service, other than promotional or advertising material of insignificant value marked with the donor's name. People wanting to give gifts for the benefit of the Agency must be referred to the President/CEO. The President/CEO will accept gifts for the Agency, but not for the benefit of any individual employee. Employees must refuse and may not solicit offers of entertainment, which might make it difficult to retain independence of judgment.*
4. *No employee may either solicit or have any financial interests in any entity involved with the Agency. However, these prohibitions do not apply to the holding of actively traded, listed securities in amounts less than 1% of the class outstanding, unless the holding is substantial in relation to employee's net worth.*
5. *No employee may serve in an elected or appointed position of leadership of any sponsoring organization at the state or national level.*
6. *No employee may hold secondary employment in which hours, knowledge of company information, or employee focus will conflict with employment at Cerebral Palsy.*

All employees are expected to refrain from placing themselves in a position that could produce a conflict between their personal interest and the interests of VCS. Employees are required to review with the Director or their designee, any situation that might create conflicts of interest. VCS reserves the right to determine what constitutes a conflict of interest.

GBEBC and GBEBC - R – Gifts To and Solicitations by Staff - Discouragement of gift giving or acceptance within parameters, except gift acceptance by the District.
Replacement Plan: VCS Conflicts of Interest policy above.

GDCCF, GDCCF-1-R, GDCCF-2-R – Federally Mandated Family and Medical Leave

GDCCF-1-E – Certification of Health Care Provider Family and Medical Leave Act of 1993, GDCCF-2-E – Request for Family/Medical Leave-Provision for leave under FMLA.

Replacement Plan: VCS Leave – Family and Medical policy and Department of Labor FMLA forms.

LEAVE - FAMILY AND MEDICAL ACT

A paid or unpaid Family or Medical Leave, up to 12 weeks, may be requested by full time employees who have completed one year of continuous employment for adoption or birth of a child, to care for a seriously ill child, spouse or parent, or in the case of an employee's own serious illness in accordance with federal and state laws. Providing false information to obtain or extend FMLA leave is prohibited and will lead to termination. The Family or Medical Leave may be paid or unpaid, depending on an employee's available paid time. An Absence Report with the reason stated for absence

as A Family or Medical Leave must be completed by the employee and approved by the Director. FMLA may run concurrent with absence due to Worker's Compensation.

Section H – Negotiations – N/A

Section I – Instruction

IC/ICA – School Year/School Calendar – gives the Board the authority to adopt the school year calendar.

Rationale: VCS will be operating independently from other schools in the School District and should be delegated the authority to adopt its own calendar.

Replacement Plan: VCS will determine and publish its own school year and calendar in compliance with state law.

Financial Impact to the District: None

Expected Outcome: VCS will have at least the state required minimums.

ID and ID-R – School Day - gives the Board the authority to determine the length of the school day and of the school year.

Rationale: VCS reserves the right to determine the length of its school day and year in compliance C.R.S. 22-32-109(1)(n).

Replacement Plan: VCS will determine and publish its own school hours in compliance with state law.

Financial Impact to the District: None

Expected Outcome: VCS will have at least the state required minimum contact hours.

IE – Organization of Instruction - establishes the configuration of elementary, middle and high schools.

Rationale: VCS curriculum is designed for K-8 students and the district is currently opening and operating K-8 schools.

Replacement Plan: VCS will function as an alternative grade level neighborhood school (K-8).

Financial Impact to the District: None

Expected Outcome: Students and teachers will benefit from completing the curriculum in the same facility.

IHBA, IHBC and IHBC-R – Special Education/Implementation Section 504 of the Rehabilitation Act of 1973 - defines policies for special education and programs for handicapped, disabled and exceptional students.

Rationale: VCS will be operating its own SPED program, independent of the district (per their request), and should be able to use its own systems.

Replacement Plan: VCS will establish its own policies and procedures concerning these students using its values and philosophies outlined in Section B. All policies and procedures will comply with Section 504 and IDEA.

Financial Impact to the District: None

Expected Outcome: Students with special needs will receive a quality education and the extra help they need to succeed.

IJJ/IJK and IJK-R – Textbook Selection and Adoption/Supplemental Materials Selection and Adoption – gives the Board the authority to select and adopt textbooks and learning materials.

Rationale: Vanguard’s educational plan was accepted by the district per contract.

Replacement Plan: VCS will establish standards for learning materials and textbooks and will establish guidelines for student use of learning materials.

Financial Impact to the District: None

Expected Outcome: Students will have adequate access to the learning materials needed for instruction.

IJL, IJL-1-R and IJL-2-R – Library Materials Selection and Adoption/ Resource Centers/Library Media Centers – gives the district the authority to select library materials approved by the board and superintendent.

Rationale: Vanguard’s educational plan was accepted by the district per contract.

Replacement Plan: VCS will determine policies for the selection of all learning materials and the extent to which those materials will be integrated into the curriculum.

Financial Impact to the District: None

Expected Outcome: Students will have adequate access to the learning materials needed for instruction and research.

IJOA, IJOA-R, IOJA-E, IJOA-2-E and IJOA-3-E – Field Trips - outlines policies, procedures and guidelines governing field trips, including a requirement to visit field trip sites approved by the superintendent.

Rationale: VCS is responsible for its education programs.

Replacement Plan: VCS will establish its own policies regarding field trips including times and length of trips, transportation policies, and sites to be visited.

Financial Impact to the District: None

Expected Outcome: field trips will supplement and augment the curriculum.

IKA, IKA-R IKAF and IKAF-R – Grading/Assessment Systems/Class Rankings/Grade-Point – gives the superintendent the authority to determine the criteria for grading student progress including weighted grades.

Rationale: VCS is responsible for its education program and assessment.

Replacement Plan: VCS will establish its own grading system and report cards.

Financial Impact to the District: None

Expected Outcome: Proper evaluation and communication of student progress with students and families.

IKB and IKB-R – Homework- creates guidelines for homework and requires the district to publish a Homework Policy and Regulation.

Rationale: VCS is responsible for its education program including homework.

Replacement Plan: VCS will establish its own homework policies and communicate expectations to all parents and students.

Financial Impact to the District: None

Expected Outcome: Meaningful assignments to build skills.

IKE – Retention, Promotion and Acceleration of Students – establishes benchmarks and procedures for the retention of students and an appeal process to the assistant superintendent.

Rationale: Vanguard’s educational plan was accepted by the district, per contract, including our philosophy opposing social promotion.

Replacement Plan: VCS will establish its own policies, procedures, and requirements for the promotion, retention and acceleration of students. Authority to make the decision will rest with the BOD of VCS in collaboration with parents, teachers, and professionals.

Financial Impact to the District: None

Expected Outcome: Mastery of the skills needed to ensure reasonable success at the next grade level.

IL and IL-R – Testing Programs – empowers the superintendent to choose a nationally normed standardized achievement test at appropriate grade levels.

Rationale: VCS is responsible for its education program and may need to adjust the assessments used and the frequency of those assessments to meet the needs of the student body.

Replacement Plan: With the exception of the state mandated CSAP tests, VCS will determine what assessments are best suited to assess the student body and/or individual students, and when they will be administered.

Financial Impact to the District: None

Expected Outcome: Proper tracking of individual student progress including longitudinal progress and the use of a nationally-normed test.

IMB and IMB-R – Teaching about Controversial/Sensitive Issues – sets the guidelines for the introduction of controversial or sensitive issues in the classroom according to procedures established by the superintendent.

Rationale: VCS is responsible for its education program.

Replacement Plan: VCS will determine its own policies for the selection of all learning materials and the extent to which those materials will be integrated into the curriculum, including guidelines for controversial/sensitive issues.

Financial Impact to the District: None

Expected Outcome: Parental notification and alignment with school philosophy.

Section J – Students

JBB – Sexual Harassment – defines and creates the policies for the investigation and reporting of racial and sexual harassment.

Rationale: The District does not want responsibility for the investigation of internal issues at VCS.

Replacement Plan: A similar plan that mirrors the District’s plan and complies with State Law will be drafted with the VCS BOD as the final authority.

Financial Impact to the District: None

Expected Outcome: Tolerance and respect of differences.

JBC, JBC-1-R and JBC-2-R – Prevention of Bullying - authorizes the district to create policies, consequences and programs to prevent bullying.

Rationale: VCS reserves the right to determine the consequences for all violations utilizing district guidelines.

Replacement Plan: VCS will establish its own policies and procedures designed to prevent bullying, including a Code of Conduct.

Financial Impact to the District: None

Expected Outcome: A safe non-threatening environment.

JC, JC-R, JC-1-E, JC-2-E and JC-3-E – School Attendance Areas – establishes boundaries for schools in the district and gives the district authority to assign students within those boundaries.

Rationale: As a charter school, VCS is not limited to where it may draw its students, provided a majority of students reside in the chartering district or contiguous districts.

Replacement Plan: Compliance with contract language and State law.

Financial Impact to the District: Gain to the district from out-of –district and home school students attending VCS.

Expected Outcome: Full enrollment as a school of choice.

JE and JE-R – Student Attendance – describes attendance keeping procedures, excused and unexcused absences and the possible consequences of repeated absences.

Rationale: VCS reserves the right to determine the consequences for all violations of school policy.

Replacement Plan: VCS will establish its own policies and procedures concerning student attendance and record keeping, in compliance with State Law, and the consequences of repeated or excessive absences.

Financial Impact to the District: None

Expected Outcome: Record keeping will meet the reporting requirements and timelines of the district.

JF, JF-R, JFBA, JFBA-R, JFBA-E, JFBB, JFBB-R, JFBB-1-E and JFBB-2-E – Admission of Students/Intra-District Choice/Open Enrollment/Inter-District Choice/Open Enrollment - sets terms and conditions for enrollment of students in APS including required forms and tuition rates for out of district students.

Rationale: Charter school enrollment policies must comply with State law and are set forth in the contract document.

Replacement Plan: VCS is a school of choice and will establish its own policies and procedures concerning enrollment including open admissions and the mandatory lottery using forms similar to the district.

Financial Impact to the District: None

Expected Outcome: Timely reporting of enrollment information to the district.

JICA and JICA-R – Dress Code - sets district standards of student dress.

Rationale: VCS is responsible for its own academic program, including its character based component, which includes a dress code.

Replacement Plan: VCS has established its own policies and procedures concerning student dress code which will promote a school environment which facilitates student achievement, helps students concentrate on schoolwork, reduces discipline problems, improves school order and safety, and encourages school pride and unity.

Financial Impact to the District: None

Expected Outcome: Fair and consistent policy to encourage modesty and personnel responsibility.

JICEB/JICEC – Underground Student Publications/Student Distribution of Non-curricular Materials – outline the policy for the method, place and content of student distributed materials.

Rationale: VCS is K-8 and will have very limited non-curricular materials.

Replacement Plan: VCS will establish its own policies and procedures concerning the appropriateness and distribution of all materials in school.

Financial Impact to the District: None

Expected Outcome: Fair and consistent policy, limited non-school related postings.

JICF-R – Secret Societies/Gang Activity – dictates actions to be taken in the event of suspected gang activity.

Rationale: VCS only wishes to waive the last section that enforces district discipline policy.

Replacement Plan: VCS will enforce its own discipline policy and Code of Conduct.

Financial Impact to the District: None

Expected Outcome: VCS will be free from the threats or influence of gangs.

JICH – Drug and Alcohol Use by Students – requires the use of a specific program, standards of conduct and discipline designed by the superintendent.

Rationale: VCS is responsible for its own academic program, including programs discouraging the use of drugs and alcohol.

Replacement Plan: VCS will establish its own policies and procedures concerning drug and alcohol use, commiserate with federal law, including a Code of Conduct and discipline policy.

Financial Impact to the District: None

Expected Outcome: A drug free school.

JJF and JJF-R – Student Activities Funds – Authorizes the superintendent to establish procedures governing the collection, depositing, spending and accounting of all monies derived for school-sponsored activities.

Rationale: VCS is responsible for its own financial management and accounting. It is subject to audit and the VCS board of directors.

Replacement Plan: VCS will develop its own policies, procedures and administrative procedures concerning cash management and the expenditure of any and all of its resources.

Financial Impact to the District: None

Expected Outcome: Responsible accounting of funds.

JJH, JJH-R, JJH-1-R, JJH-1-E, JJH-2-E, JJH-3-E, JJH-4-E, JJH-5-E, JJH-6-E, JJH-7-E, JJH8-E, JJH-9-E, JJH-10-E, JJH-11-E and JJH-12-E – Student Travel - Outlines policies and procedures for student travel and all associated permission forms.

Rationale: VCS is responsible for its curriculum and should be free to determine what, if any, travel is appropriate and beneficial.

Replacement Plan: VCS will establish its own policies and procedures concerning student travel.

Financial Impact to the District: None

Expected Outcome: Appropriate paperwork/forms will be completed to satisfy the requirements of our insurance coverage.

JK.1, JK.1-R, JK.2, JK.2-R, JK.3, JKD.1, and JKD.1-R – Student Discipline/Communication/Discipline of Students with Disabilities and Classroom Teacher Removal – outlines the offenses for which students may be disciplined, the procedures to be used to discipline students and the penalties to be imposed on students for specific offenses.

Rationale: The district contract has made discipline, suspension, and expulsion the responsibility of VCS.

Replacement Plan: VCS will establish its own policies and procedures, commensurate with those of the District, for student discipline and will determine appropriate penalties for all offenses committed by its students, in accordance with state and federal laws.

Financial Impact to the District: None

Expected Outcome: An ordered and disciplined student body.

JLCDA and JLCDA-E – Students with Food Allergies – develops a plan and reasonable accommodations for students with life threatening food allergies.

Rational: Vanguard is in a separate agreement with the district to order, prepare, and serve lunch to its students. Vanguard does not have the capacity to offer alternative meals to children with food allergies. Banning of some foods would place a hardship on some of our families.

Replacement Plan: Vanguard will follow the spirit of the district policy with regards to development of a health care plan or 504 (if appropriate), making reasonable accommodations to minimize exposure to allergens, ensuring access to and training on emergency medication. The policy will be posted for the public.

Financial Impact to the District: none

Expected Outcome: Students with severe food allergies will be reasonably accommodated at Vanguard within its capacity.

JLCE, JLCE-1-R and JLCE-2-R – First-Aid and Emergency Medical Care – procedure for the administration of first aid and emergency care.

Rationale: VCS only requests a waiver from reporting minor accidents to the district.

Replacement Plan: Minor incidents will be handled internally by VCS staff.

Financial Impact to the District: None

Expected Outcome: Less paperwork for the district.

JQ, JQ-R, JQ-1-E, JQ-2-E and JQ-3-E – Student Fees – establishes student fees and fines

Rationale: VCS is responsible for its programs and materials and has policies in place, similar to the district, concerning its board’s adoption of fines and fees.

Replacement Plan: VCS has established its own guidelines for fines, fees and tuition, similar to those of the district.

Financial Impact to the District: None

Expected Outcome: The board shall adopt a schedule of student fees. These fees may be adjusted annually and fees for the books, materials, or supplies shall bear a relationship to the actual costs incurred by the district in providing such.

JS – Student Use of Internet and Electronic Communications – sets internet policies

Rationale: VCS is responsible for its own internet, data, and phone systems.

Replacement Plan: VCS has established its own policies and procedures for the use of the internet and electronic communications and will comply with all safety and filtering requirements.

Financial Impact to the District: None

Expected Outcome: Use will be monitored, filtered, and protected.

Section K– School-Community-Home Relations

KBD-R – Communications and Engagement with Parents, Family and community – establishes guidelines for communication with parents.

Rationale: VCS only requests a waiver from scheduling parent/teacher conferences according to the adopted district calendar year because our calendar may vary to accommodate our schedule.

Replacement Plan: VCS will schedule parent/teacher conferences according to the schedule set by VCS.

Financial Impact to the District: None

Expected Outcome: Continuous communication between the home and school.

KCD and KCD-R – Public Gifts/Donations to Schools – declares that all donations to schools meet district specifications and become district property.

Rationale: Because VCS is responsible for its curriculum, facility, and equipment, private donations should meet VCS, not district, specifications.

Replacement Plan: VCS will establish its own guidelines for donations/gifts and any and all such gifts/donations will remain the property of VCS except as specified in the contract document.

Financial Impact to the District: None

Expected Outcome: Materials purchased with public dollars remain district property.

KDE, KDE-R, KDEA and KDEA-R– Crisis Management/Crisis Management Communication – directs superintendent to develop crisis plans.

Rationale: Because VCS is responsible for its facility and staff, it needs to develop a plan specific to its needs and circumstances.

Replacement Plan: VCS has established its own crisis management plan that mirrors district policies.

Financial Impact to the District: None

Expected Outcome: To provide a safe environment while balancing the need for safety with the responsibility to make our facilities and services available to the public.

KEB and KEB-R – Public concerns /Complaints about Personnel – outlines the procedure for filing formal complaints directed to the district Division of Human Resources.

Rationale: The District does not want responsibility for the investigation of internal/personnel issues at VCS.

Replacement Plan: VCS will adopt its own grievance policy with final authority resting with its BOD.

Financial Impact to the District: None

Expected Outcome: Concerns/complains handled in a timely manner.

KEC and KEC-R – Public Concerns/Complaints about Instructional Resources - outlines the procedure for filing concerns/complaints about instructional material and the formation a district Instructional Materials Review Committee.

Rationale: The District does not want responsibility for the investigation of internal issues at VCS, especially concerning the educational program and materials for which VCS is responsible.

Replacement Plan: VCS will adopt its own grievance policy with final authority resting with its BOD. VCS will determine its own policies for the selection of all learning materials.

Financial Impact to the District: None

Expected Outcome: Concerns/complains handled in a timely manner.

KFB/KFC, KFB/KFC-R, KFD and KFD-R- Community Use of School Buildings/Fields and Grounds/Kitchen – authorizes the superintendent to establish procedures for the use of school facilities and grounds, including priority and preference for use, rental rates, supervisory requirements, restrictions, security, and other matters pertinent to community use.

Rationale: The district is not responsible for the facility occupied by VCS. The owner will establish conditions for the use of private property.

Replacement Plan: VCS will establish its own policies and procedures concerning the use of its facilities in line with the lease conditions.

Financial Impact to the District: None

Expected Outcome: Owner responsibility for property.

KHA/KHB and KHA-R – Advertising in the School District and Revenue Enhancements - sets policies for solicitations, drives, campaigns and advertising, and requires the approval of the superintendent.

Rationale: As a semi-autonomous school of choice located in a private facility, VCS should have the responsibility to determine what solicitation/advertising is allowed in the school.

Replacement Plan: VCS will establish its own policies and procedures concerning solicitations, campaigns, food and clothing drives, advertising/promotional materials and marketing efforts with the authorization of the school's BOD.

Financial Impact to the District: None

Expected Outcome: No exploitation of students by the public will be allowed.

Section L– Education Agency Relations - None Requested