



Academy School District 20
1110 Chapel Hills Drive
Colorado Springs, CO 80920

September 17, 2020

Commissioner of Education
Colorado Department of Education
201 East Colfax Ave., Room 500
Denver, CO 80203

Dear Commissioner,

On behalf of Academy School District 20 (District 20), we respectfully notify you of District 20's waiver request pursuant to section 22-2-117, C.R.S. The state board is asked to approve this request from Academy District 20 for a waiver of section 22-30.5-107(1)(b), C.R.S. Such provision of statute requires that the date determined by a local school board for the filing of charter school applications be no earlier than August 1 nor any later than October 1. Previously, the State Board has approved waivers of this same statutory provision for Denver Public Schools (February 2012), Douglas County Schools (December 2012), Falcon 49 School District (December 2013), Aurora Public Schools (December 2014), and Lewis-Palmer School District #38 (September 2017). District 20's intent is to change its charter school application deadline from October 1 of the year preceding the proposed opening of a district charter school, to April 15 of the calendar year preceding the proposed opening of a district charter school. Such change to the district's policy shall be effective immediately.

District 20 wishes to make this change because it will allow the charter school applicant and the district additional time for collaboration during the initial application timeline and review period. Accordingly, at least 30 days before submitting an application, and no later than March 15, applicants must file an intent to apply form with the district.

The district relies upon Colo. Rev. Stat. § 22-2-117 (2019) to apply for waiver by the state board of education, by certified letter. In relevant part:

[U]pon application of the board of education of any school district, the state board, . . . , may waive any of the requirement imposed by this title or by rule promulgated by the state board. The state board shall grant the waiver if it determines that it would enhance the educational opportunity and quality within the school district . . .

C.R.S. § 22-2-117 (1)(a).


District 20's Board of Education requests waiver to increase the amount of time and opportunity that the district has to engage with charter applicants. Please contact

Tonya Thompson, General Counsel, if you have any questions about this waiver application of supporting documentation.


Sincerely,

Karin Reynolds

Tonya J. Thompson, JD/MEd



President, Board of Education



General Counsel

cc: Mr. Tom Gregory, Superintendent



Guidance for Waiver Requests

When submitting your waiver request please include the following items as required by C.R.S. § 22-30.5-107(1)(b) Requirement

Comments

Include a rationale for the waiver(s) being requested. The state board shall grant the waiver if it determines that it would enhance educational opportunity and quality within the school district and that the costs to the school district of complying with the requirements for which the waiver is requested significantly limit educational opportunity within the school district.

This waiver moves the submittal date from October 1 to April 15. This gives the district five additional months to review the application and seek out additional information.

Include a replacement plan that describes the manner in which the school/district shall comply with the intent of the waived statutes or rules and shall be accountable to the state for such compliance.

Our current regulation (LBD-R, attached) requires that applications must be submitted no later than October 1 of the year preceding the proposed opening of the district charter school. This is in compliance with CRS 22-30.5- 107(1)(b) (attached).

The administration would like to have more time to consider charter school applications. We suggest that the Board authorize the Superintendent to submit a waiver similar to one granted to Falcon School District. This waiver moves the submittal date from October 1 to April 15.

If the district has a pupil count of 3,000 or more, majority consent must be demonstrated by each of the 3 groups:

- ☑ Majority of School Accountability Committee;
- ☑ licensed administrators;
- ☑ and teachers

100% of the District Accountability Committee, District and Charter School Administrators and District and Charter School Board Members support this waiver. Please see Exhibit A.

The district holds exclusive chartering authority. Please see Exhibit B.

Note: Districts below 3,000 are exempt from having to demonstrate majority consent.



Include evidence of notice of public hearing in 3 public places within the district for at least 30 calendar days prior to the local hearing. This notice must include the time and location of the hearing and a description of the waiver request. If a newspaper is published within the county, documentation of public notice in the newspaper is required once each week for at least 4 weeks. This may be demonstrated through a copy of the public notices posted (including location and dates) or a statement that includes a summary of this information.

Signed Board Resolution from the local board of education demonstrating approval to apply for the waiver and specifying the statutes and rules for which the board will request waivers.

Please see Exhibit C.

While Board members and citizens attended the hearing, no one spoke for or against the waiver.

Please see Exhibit D.



Please list the statutes and/or rules requested for waiver
CRS 22-30.5-107(1)(b) –Deadline for Charter School Application

Please provide a statement explaining how the waiver would enhance educational opportunity and quality within the school district

The District wishes to have a deadline that allows more time to work with Charter School Applicants, ensuring adequate time to review the application, seek out additional information, and plan for successful opening of District authorized charter schools.

Please provide a statement explaining how costs to the school district of complying with the requirement for which the waiver is requested significantly limit educational opportunity within the school district

Current law limits the timeframe during which the District may review applications and request additional information. Additional time to review applications enhances opportunity for increased school choice options.

Please describe the manner in which the school district shall comply with the intent of the waived rules or statutes as well as how it shall be accountable to the state board for such compliance

The District wishes to move the required submittal date from October 1 to April 15. Following approval of the waiver by the State Board of Education, the local Board of Education would revise policies and procedures.

The District has a practice of meeting with all individuals/groups wishing to submit an application. These individuals are directed to District policy as well as state law, CSI and CDE officials / website for guidance.

The District has exclusive chartering authority and maintains excellent collaborative relationships with its charter schools.