

Request for Waivers from Colorado Statute
Pueblo School District #60
The following waivers apply to Pitts Middle School

Section 22-32-109(1) (f), C.R.S. Section outlines local school board duties concerning selection of personnel and pay. Waivers from this statute allow innovation schools to select their own personnel and determine pay.

- **Request:** Pitts requests waivers from this statute to allow the school to select its own personnel and determine their compensation.
- **Rationale:** Teacher skills, qualifications and retention are key determinants of student academic success. Pitts will hire the most qualified candidates available and, to bolster retention, compensate teachers for additional performance, hours of work year, hours of work days, and additional duties.
The school will have the authority to hire its own personnel and to issue its own employment offer letters to newly hired teachers. The school will follow district application processes including background checks, fingerprinting, and equal employment policies. Pitts and other innovation schools will have the same compensation structure for additional work, incentives, and performance pay. Compensation will be agreed upon and communicated in advance. The teacher contract will be developed in collaboration with the district's attorney. In addition, the school has the authority to establish its own additional compensation system for all employees. A letter will outline the terms of employment, including at-will employment for those teachers hired new to the district. Hours of work day, duties, and lunch duty will be determined by the planning team and contained in the Personnel Staff Contract. The school year will meet or exceed minimum statutory requirements.
- **Replacement Plan:** Pitts's innovation planning team and BLT will determine the expectations, duties, and calendar and publish them for all employees.

Section 22-32-109-(1)(n)(I), n(II)A, and n(II)B C.R.S. to determine the school calendar, teacher-pupil contact hours and school days.

- **Request:** Pitts MS requests waivers from these local board duties to create an extended calendar, lengthen the school day and school year to meets the needs of the students in the school.
- **Rationale:** Pitts MS will be able to support the implementation of the IB and AVID programs with a longer school day and more time for professional development and collaboration.
- **Replacement Plan:** The school schedule and calendar are in Appendix 10.

Section 22-32-109 (1)(t) C.R.S. to determine the educational programs to be carried on in the schools of the district and to prescribe the textbooks for any course of instruction or study in such programs.

- **Request:** Pitts MS requests flexibility to adopt its own education program including selecting curriculum and textbooks.
- **Rationale:** Pitts Middle School will be responsible for its arts integration program and pre-AP curricula, the textbooks to support the curriculum, and professional development. By waiving the state statute and district policies, the school will be able to implement the programs, curriculum and provide training to support the implementation of the instructional programs they have selected.
- **Replacement Plan:** The school's innovation plan details the curriculum, textbook and training.

Section 22-63-201 C.R.S. Teacher Employment Act – Requirement to hold a certificate

- **Request:** Pitts Middle School requests waivers from the Teacher Employment Act for only those staff that would be in a non-core content area. Pitts MS requests a waiver from the requirement to hold a teaching license.
- **Rationale:** If there were a position that is in a non-core subject area, such as the Encore Coordinator, the school would require the individual to have a minimum of 4 years experience or certification in their field of expertise as well as experience in teaching their craft to young adults. They would be responsible for the Performing/Visual Arts standards for the state of Colorado and follow the district's application and hiring process including background checks, fingerprinting and equal employment policies. Observation of ARTs applicants' teaching techniques would be a required component of the interview process.
- **Replacement Plan:** In accordance with NCLB requirements, all core content instructional staff employed at Pitts MS will have a valid teaching license and meet subject matter competency requirements for the teaching subject.

Sections 22-63-201 through 203, 22-63-301 through 302, and 22-63-401 through 403, C.R.S. Teacher Employment Act

- **Request:** Pitts requests waivers from these sections of the Teacher Employment, Compensation, and Dismissal Act to allow the school to hire unlicensed teachers in non-core content areas who are not required to meet highly qualified requirements of NCLB, to operate free from teacher employment contracts, to employ teachers as at-will employees, and to determine compensation for teachers.
- **Rationale:** The school has the authority to issue its own employment offer letters to newly hired teachers. The letter outlining the terms of employment, including at-will employment for those teachers hired new to the district. Pitts and other innovation schools will have the same compensation structure for additional

work, incentives, and performance pay. The teacher contract will be developed in collaboration with the district's attorney.

- **Replacement Plan:** See rationale above. In addition, the District's salary schedule will be used as a guideline and the schools will determine the placement of teachers on the salary schedule. The innovation schools have negotiated a waiver from the Pueblo Education Association (PEA) for experience credit, pay for performance, and compensation will be adjusted accordingly.