



## Charter School Waiver Request Addendum

*Use the addendum template below to list the non-automatic waiver(s) from statute and rule and the related replacement plans that the charter school is requesting.*

Contact Information
<b>School Name:</b> AXL Academy
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Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan
<b>Statutory Citation and Title</b> CRS § 22-2-112(1)(q)(I): Commissioner-Duties (reporting performance evaluation ratings)CRS § 22-9-106: Local Board Concerning Performance Evaluations
<b>Rationale:</b> The AXL Academy Executive Director must have the ability to perform the evaluation of all personnel. The AXL Academy Board of Directors must also have the ability to perform the evaluation for Executive Director. Additionally, AXL Academy should not be required to report their teacher evaluation ratings as a part of the commissioner's report as required by C.R.S. 22-2-112(1)(q)(I)
<b>Replacement Plan:</b> AXL Academy uses its own evaluation system as agreed to in the Charter School Agreement with Aurora Public Schools and therefore should not be required to report their teacher evaluation data. The AXL Academy's evaluation system will continue to meet the intent of the law as outlined in statute. The methods used for AXL Academy's evaluation system include quality standards that are clear and relevant to the administrators' and teachers' roles and responsibilities, and have the goal of improving student academic growth, and meet the quality standards established in SB 10-191. In addition, the evaluation data is used to inform professional development decisions for each teacher. Core course level participation will continue to be reported PURSUANT TO C.R.S. 22-11-503.5, as this is a non-waivable statute.
<b>Duration of Waivers:</b> We formally request the waiver be in effect for the duration of our contract with Aurora Public Schools.
<b>Financial Impact:</b> The school anticipates that the requested waivers will have no financial impact on the Aurora Public Schools or AXL Academy.
<b>How the Impact of the Waivers Will be Evaluated:</b> Since teacher performance has a critical impact on the 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, as set forth in the Charter Agreement.
<b>Expected Outcome:</b>

If granted, the waiver will enable the school 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 school's goals and objectives. This will benefit staff members as well as students and the community.

### **Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan**

**Statutory Citation and Title** CRS § 22-32-109 (1)(n)(I): Board of Education – Specific Duties – School Calendar  
CRS § 22-32-109 (1)(n)(II)(B): Board of Education – Specific Duties – District Calendar

**Rationale:**

The school year at AXL Academy will total approximately 173 days per year which exceeds the current requirement in state statute. AXL Academy will prescribe the actual details of its own school calendar to best meet the needs of its students. The local board will not set these policies and AXL Academy will have a calendar that may differ from the rest of the schools within the district.

**Replacement Plan:**

The final calendar and the school's daily schedule will be designed by AXL Academy and will meet or exceed the expectations in state statute. We will, in all cases possible, align to local calendars to support local families.

**Duration of Waivers:**

We formally request the waiver be in effect for the duration of our contract with Aurora Public Schools.

**Financial Impact:**

The school anticipates that the requested waivers will have no financial impact on the Aurora Public Schools or AXL Academy.

**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 same performance criteria and assessments that apply to the school, as set forth in the Charter Agreement.

**Expected Outcome:** If granted, the waiver will enable the school 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 school's goals and objectives. This will benefit staff members as well as students and the community.

### **Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan**

**Statutory Citation and Title**

CRS § 22-63-201: Teacher Employment Act – Compensation & Dismissal Act – Required to hold a certificate  
CRS § 22-63-202: Teacher Employment Act – Contracts in writing, damage provision

**Rationale:** AXL Academy should be granted the authority to hire teachers and principals that will support the school's goals and objectives. The Executive Director will not function as a traditional district school principal, but rather will be responsible for a wider range of tasks and act as the school's chief executive officer. The school will seek to attract Executive Directors, administrators, 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 AXL Academy will be employed on an at-will basis. All employees of AXL Academy will meet previous requirements of highly qualified teachers, especially to hold a degree and demonstrate subject matter competency.

AXL Academy will have its own contracts regarding employment. Contracts will be signed each school year if the teacher is being renewed. This allows AXL to continue to employ effective teachers according to evaluations and coaching plans.

**Replacement Plan:**

The school will, as appropriate, hire certified teachers and principals. However, in some instances it may be advantageous for the school to be able to hire Highly Qualified teachers and/or administrators without a certificate and who possess unique background and/or skills that fill the need of AXL Academy.

Core and non-core Teachers must have had a valid teaching license or have a B. A. or higher in a related field ex. (M.A. in biology to teach middle school science).

They will make sure that all contracts abide by laws and regulations. These will be reviewed annually. Teachers working for AXL are at will and can be terminated when necessary.

**Duration of Waivers:**

We formally request the waiver be in effect for the duration of our contract with Aurora Public Schools.

**Financial Impact:**

The school anticipates that the requested waivers will have no financial impact on the Aurora Public Schools or AXL Academy

**How the Impact of the Waivers Will be Evaluated:**

The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to the school, as per this Charter School Agreement.

**Expected Outcome:**

As a result of these waivers, the school will be able to employ professional staff possessing unique skills and/or background filling all staff needs.

**Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan**

**Statutory Citation and Title** CRS § 22-62-203: Teacher Employment Act – Requirements for probationary teacher, renewal & nonrenewal

**Rationale:** AXL Academy should be granted the authority to develop its own employment agreements and terms and conditions of employment. The school will be operating differently from other schools with a unique curriculum for which having the proper teaching staff is essential. Not every teacher who is successful in the regular public school will be successful at AXL Academy. All employees of AXL Academy will be employed on an at-will basis.

**Replacement Plan:**

AXL Academy has teacher agreement with the terms of non-renewal and renewal of employment agreements, and payment of salaries upon termination of employment of a teacher.

**Duration of Waivers:** We formally request the waiver be in effect for the duration of our contract with Aurora Public Schools.

**Financial Impact:**

The school anticipates that the requested waivers will have no financial impact on the Aurora Public Schools or AXL Academy.

**How the Impact of the Waivers Will be Evaluated:**

The impact of these waivers will be measured by the performance appraisal criteria and assessments that apply to the school, as per this Charter School Agreement.

**Expected Outcome:** As a result of these waivers, the school will be able to employ professional staff possessing unique skills and/or background, filling all staff needs.

**Non-Automatic Waivers: Statute Description and Rationale and Replacement Plan**

**Statutory Citation and Title** CRS § 22-63-206: Teacher Employment Act – Transfer of Teachers

**Rationale:** AXL Academy is granted the authority under the Charter School Agreement to select its own teachers. No other school or Aurora Public Schools should have the authority to transfer its teachers into AXL Academy or transfer teachers from AXL Academy to any other schools, except as provided for in the Charter School Agreement. However, to the extent that teachers are transferred to other positions or grades within AXL Academy, there shall be no discrimination shown towards any teacher in the assignment or transfer of that teacher because of sex, sexual orientation, marital status, race, color, religion, national origin, ancestry, or member or non-membership in any group or organization. Race includes hair texture, hair type, or protective hair style that is commonly or historically associated with race; AXL Academy adheres to the CROWN Act (HS 20-1048).

**Replacement Plan:**

The school will hire teachers on a best-qualified basis. There is no provision for transfers.

**Duration of Waivers:**

We formally request the waiver be in effect for the duration of our contract with Aurora Public Schools.

**Financial Impact:**

The school anticipates that the requested waivers will have no financial impact on the Aurora Public Schools or AXL Academy.

**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 AXL Academy, as set forth in this Charter School Agreement.

**Expected Outcome:**

The school expects that as a result of this waiver it will be able to manage its own personnel affairs. There is no provision for transfers.