Board File: LBD-R-3

CHARTER SCHOOL WAIVERS OF DISTRICT POLICY

A charter school may seek a waiver of certain district policies consistent with the term of its applicable charter contract and the policies of the Douglas County School District RE-1 (the "District").   A charter school shall be granted certain waivers from District policies upon approval of the District's Board of Education (the "District's Board"), which may include approval by the District's Board of an acceptable rationale for the waiver and replacement plan.

Waiver Request Process

A charter school shall submit a waiver request of District policy though a systemized process implemented by the District's Choice Programming Office. This process shall conform to the following requirements applicable to the categories of District policy identified below.

    a. **District Policies Not Applicable to Charter Schools**

        Certain District policies which are identified as "Non-Applicable" do not apply to charter schools and therefore a charter school need not submit a request to waive these policies. District policies determined to be "Non-Applicable" to charter schools are listed in LPD-R-3-E.

    b. **District Policies Which Warrant an Automatic Waiver if Board Accepts Charter School Plan, Process, or Policy on Record**

        Charter schools may seek waivers of certain District policies as an "Automatic" waiver so long as the charter school submits documentation of a replacement plan, process, or charter school policy which sufficiently addresses the purposes of the District's policies for which a waiver is sought with the waiver request. The Choice Programming Office will automatically recommend that such a waiver request be granted so long as the submitted charter school replacement plan, process, or policy is acceptable to the Choice Programming Office as meeting the purposes of the District policy sought by the charter school to be waived. The District's Board shall have final authority to approve such a waiver request. District policies determined to allow for an "Automatic" waiver request are listed in LPD-R-3-E.

    c. **District Policies Which Will Not be Automatically Waived**

        Charter schools may seek waivers of certain District policies designated as "Non-Automatic." If a charter school seeks a "Non-Automatic" waiver of District policy, the charter school must submit a Rationale and Replacement Plan (RRP) which identifies the basis for requesting the waiver, the manner in which the charter school will meet the intent of the waived policy, and a process through which the charter school will evaluate the outcomes. The RRP should be written in language that clearly articulates the plan to both internal and external stakeholders, and must align with the narrative used to articulate the school's mission, pedagogy, operations, and/or curriculum. The District's Board shall have final authority to approve such a waiver request. District policies determined to allow for an "Non-Automatic" waiver request are listed in LPD-R-3-E.

   d. District Policies Which Are Not Waivable

   Certain District policies are important and applicable to all stakeholders within the District and typically are required by federal or state law and therefore should not be waived. Additionally, some District policies are applicable to the legal and contractual relationship between the charter school and the District and should not be waived. Therefore, charter schools may not seek a waiver of such policies which are accordingly designated as "Non-Waivable." District policies designated as "Non-Waivable" are listed in LPD-R-3-E.

Revocation of Waivers

For reasonable cause and after providing notice to the charter school, the District's Board may revoke waivers previously granted.

Adopted: _____

LEGAL REF.:

C.R.S. 22-30.5-101 et seq. (*Charter School Act*)

CROSS REF.:

LBD, Charter Schools
LBD-R-1, Charter School Procedure Manual
LBD-R-2, Charter School Application Process
LBD-R-3-E, Designations of District Policies for Charter School Waiver Requests