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REQUEST FOR NON-AUTOMATIC WAIVERS OF COLORADO REVISED STATUTES

STATUTE DESCRIPTION AND RATIONALE

C.R.S. § 22-2-112(1)(q)(I) Commissioner-Duties

Rationale: DCS Montessori Charter School (DCSM) has established a performance evaluation system and received a waiver from CRS 22-9-106 enabling its use of that system. Due to this prior waiver, DCSM 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)

Plan: If granted this waiver DCSM will not be required to report their teacher evaluation data through the Teacher Student Data Link collection process. However, the data provided by DCSM's teacher evaluation system is a critical component in the decision-making process for retention, promotion and placement of DCSM's teachers. In addition, the evaluation data is used to inform professional development decisions for each teacher.

Duration of the Waiver: DCSM requests that the waiver be for the duration of its contract with Douglas County School District. Therefore, the waiver is requested until June 30, 2025.

Financial Impact: DCSM anticipates that the requested waiver will have no financial impact upon Douglas County School District or DCS Montessori Charter School.

How the Impact of the Waiver will be evaluated: The impact of this waiver will be measured by the performance criteria and assessments that apply to DCSM's curriculum and the overall program design.

Expected Outcomes: DCSM expects that as a result of this waiver, we will be able to dedicate more time to reviewing teacher evaluation data for important, internal use to continue to provide for student success in higher levels of learning in all academic content areas while adhering to the Montessori philosophy and curriculum.

C.R.S. § 22-7-1014(2)(a) which requires each district to administer the school readiness assessment to each student.

Rationale: DCS Montessori Charter School should have the authority to implement relevant curriculum and assessments that ensure students' success in higher learning. The domains of physical well being, motor development, social-emotional development, language and comprehension development, cognition and general knowledge are assessed using Montessori curriculum and assessments, which have been validated against the State-Mandated Teaching Standards Gold's Objectives for Development & Learning. Support is readily available through numerous avenues based throughout the program. Assessment tools include observation, documentation, formative and summative assessments. They will reflect student success which is based upon an authentic and accredited curriculum founded on the educational philosophy of Maria Montessori.

Plan: DCS Montessori Charter School has a full day Kindergarten program which utilizes the Montessori philosophy and curriculum while adhering to Colorado Academic Standards. While DCS Montessori students are assessed all school year long, initial assessment is completed within the first 60 days of the school year, and results are communicated to parents in a Montessori form of Individual Readiness Plans. While such Readiness Assessment is not used for retention, Response To Intervention (RTI) planning and intervention will be implemented for students who demonstrate such needs in their Readiness Assessments.

1. Physical well-being and motor development (based on State Standards)

- Students participate in a structured physical education class twice per week for a total of 90 minutes. The content and lessons meet or exceed state standards. Students are assessed on motor-development skills acquired throughout the year. They are assessed throughout the year using Elementary Progress Reports (EPR).
- Students participate in two recesses each day for a total of 250 minutes per week. Structured and unstructured recess activities include running, climbing, digging, balancing, hopping, and throwing and kicking balls.
- Students participate weekly in Art Education, learning skills that will meet or exceed state standards. Development of fine motor skills is achieved through drawing, painting, and creating objects. Students attend art class for 45 minutes each week and are assessed on fine motor skills acquired throughout the year using EPR.
- Students participate in music education classes for 45 minutes each week. Students participate in a variety of movement, singing, and rhythm exercises. The content and lessons meet or exceed state standards. Students are assessed throughout the year using EPR.
- Students have access to various Montessori materials that develop coordination, balance, fine motor and gross motor skills. Lessons and materials include activities such as play dough, gluing, painting, cutting, sweeping, dusting, pouring, lacing, sewing, washing windows, scrubbing tables, carrying large boxes and trays, folding towels, gardening, and

stacking chairs.

- Students are assessed four times a year on Gross and Fine Motor Development with the Montessori Aims for the Developing Child Checklist.
- Students participate in large group circle time activities in the classroom each day for 30 minutes which include singing, movement, and rhythm activities.
- Physical well-being and motor development are assessed by the classroom teacher throughout the year by observation protocols, recording daily lessons, anecdotal records, and checklists, which have been validated against the State-Mandated Teaching Standards Gold's Objectives for Development & Learning.

2. Social and emotional development (based on State Standards)

- Students are expected to demonstrate positive behavior in all areas of the school, including the classroom, the hallway, during lunch, and at recess as learned and modeled based on Love and Logic principles and Montessori Grace and Courtesy lessons.
- To encourage self-regulation and executive functions, students are taught through the Love and Logic principles and Montessori philosophy to be intrinsically motivated and to use their own errors as a means for self correction and growth.
- Students are instructed in the "Brain Wise" program through an initial six week series and then through classroom practice of the principles learned, which include peaceful communication, friendship, and bullying awareness. This program assists students in developing friendships, problem solving, community building, and managing emotions.
- Students and teachers have access to a school psychologist to address any social-emotional needs that may arise throughout the year. She works with students in the Kindergarten classrooms when needed. In addition, she conducts small group interventions for students who struggle in these areas.
- Students are instructed in a variety of peaceful communication modalities including the use of the Peace Rose as a means to help resolve conflict and Love Lights as small symbols to announce to their peers that they are feeling peaceful and full of love. These tools help the students to realize their potential as members of the larger classroom and school community.
- Assessment information is gathered by observation protocols by the classroom teacher, based upon appropriate developmental guidelines and Colorado State Standards, which have been validated against the State-Mandated Teaching Standards Gold's Objectives for Development & Learning.

3. Language and comprehension development (based on State Standards)

- Students receive language instruction throughout the day. This is a comprehensive program based on Montessori philosophy and curriculum. Students master the sounds and letters as well as many sight words, enabling them to improve encoding and decoding skills. The program includes instruction in reading, writing, and speaking.
- Students receive instruction in reading and writing on an individual basis, rather than in a

group, and they are assessed on a daily basis by the classroom teacher.

- Developmentally appropriate reading assessments are administered three, or more, times per year. Students who do not reach the benchmark are monitored more closely and given additional instruction. Students who do not reach the benchmark after the second assessment receive individual instruction by the school reading specialist.
- If the student is far below the reading benchmark on two consecutive administrations, the student is placed on a READ plan and given an additional 30 minutes of small group or 1:1 instruction.

4. Cognitive and general knowledge (based on State Standards)

- **Math-** Students are required to perform math lessons daily, based upon the Montessori curriculum. This curriculum meets or exceeds the state standards for mathematics. Each lesson is administered 1:1. All subsequent math work is reviewed upon completion. Observations and documentation are performed daily by the classroom teacher to monitor progress and growth. Written assessments are administered four times per year and stored in Infinite Campus as EPR, which have been validated against the State-Mandated Teaching Standards Gold's Objectives for Development & Learning.
- **Science-** Science topics of instruction include: Geology (Layers of the Earth, fossils and rocks, dinosaurs), Oceanography, Astronomy, Four Seasons and Weather, Living/Nonliving classification, Animals and their needs (including biomes), Plants, Care of the Environment (Ecology, classroom cleanliness and order, daily jobs, caring for classroom pets and plants), Care of Self (learning how to zip/button/tie, cleanliness, exercise, nutrition), Human Anatomy, and Physical Science (magnets, sink & float, gravity, temperatures, light, and sound). Group lessons and discussions occur for various topics. All subsequent work is monitored until completion. Observations and documentation are performed daily by the classroom teacher to monitor progress and growth. Written assessments are administered two times per year and stored in Infinite Campus as EPR, which have been validated against the State-Mandated Teaching Standards Gold's Objectives for Development & Learning.
- **History and Geography** – Students are instructed on various topics Including: Geography (Land and Water Forms, Biomes of the World, Globes, Puzzle Maps of the world, continents, and the United States to develop spatial sense), World landmarks, Flags of the World and the United States, Native American Peoples-Past and Present; Early Exploration and Settlement (including the voyage of Columbus, the Pilgrims, and Independent Day), Presidents, Past and Present (including Washington, Jefferson, Lincoln, Theodore Roosevelt, and current United States President), and symbols and Figures (including the American Flag, Statue of Liberty, Mount Rushmore and The White House). Group lessons and discussions occur for various topics. All subsequent work is monitored until completion. Observations and documentation are performed daily by the classroom teacher to monitor progress and growth. Written assessments are administered two times per year and stored in Infinite Campus as EPR, which have been validated against the State-Mandated Teaching Standards Gold's Objectives for Development & Learning.
- All observations and documentation are performed by the classroom teacher and are based on

appropriate developmental guidelines and State Standards.

Any student who does not make adequate growth, or isn't demonstrating acceptable Readiness on assessments, in any of the above areas receives Response to Intervention strategies in small groups, or 1:1 instruction. RtI plans are developed with support documentation, teaching staff, and administration. The information includes results of formal assessments, informal assessments, and developmental checklists.

If students do not respond with adequate growth following this intervention, they may be referred to an Occupational Therapist, Psychologist, Speech/Language Therapist, or SPED Teacher for further assessment. These assessment results are held in the Enrich IEP System.

Methods and assessments used are clear and relevant and have the goal of improving student academic growth, and meet the intent of the quality standards established in State Statute 22-7-1014(2)(a).

Duration of the Waiver: DCS Montessori Charter School requests that the waiver be for the duration of its contract with Douglas County School District. Therefore, the waiver is requested until June 30, 2025.

Financial Impact: DCS Montessori Charter School anticipates that the requested waiver will have no financial impact upon Douglas County School District or DCS Montessori Charter School.

How the Impact of the Waiver will be evaluated: The impact of this waiver will be measured by the performance criteria and assessments that apply to DCS Montessori Charter School's curriculum and the overall program design.

Expected Outcomes: DCS Montessori Charter 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 while adhering to the Montessori philosophy and curriculum.

C.R.S. § 22-9-106

Local Board of Education - Duties

Description: This section requires school districts to have a written system and related procedures to evaluate the performance of school district certified personnel. (Substantive Waivers)

Rationale: The DCS Montessori Head of School must have the ability to perform the evaluation of all personnel. Should any other designated administrator not have a principal or administrator license, this should not preclude him or her from administering the evaluations under the direction of the Head of School. The DCS Montessori Board of Directors must also have the ability to perform the evaluation of the school leader.

Replacement Plan: DCS Montessori uses its own evaluation system as agreed to in the Charter School Agreement with the district and therefore should not be required to report their teacher evaluation data.

DCS Montessori's evaluation system will continue to meet the intent of the law as outlined in statute. The methods used for DCS Montessori's evaluation system includes quality standards that are clear and relevant to the administrator's and teachers' roles and responsibilities, and have the goal of improving student academic growth, and meet the intent of the quality standards established in SB 10-191. All evaluators will receive training in their school's evaluation system. In addition, the evaluation data is used to inform professional development decisions for teachers.

Duration of the Waivers: DCS Montessori requests that the waivers be for the duration of its contract with Douglas County School Board. Therefore, the waivers are requested for five (5) academic operating years, through June 30, 2025.

Financial Impact: DCS Montessori anticipates that the requested waiver will have no financial impact upon the Douglas County School Board or the DCS Montessori budget.

How the Impact of the Waivers will be Evaluated: Since teacher performance has a critical impact on the performance of the school, the impact of this waiver will be measured by the academic achievements and assessments of the students as determined by applicable District and/or State standards.

Expected Outcomes: With this waiver, DCS Montessori will be able to evaluate its staff based on expected academic achievement levels attainable with the Montessori system. This will benefit staff members, students, parents and the community.

C.R.S. § 22-32-109(n)(II)(B)

Board of Education – Specific Duties

Description: This section requires school boards to adopt a district calendar, that all district schools will adhere to, with exceptions requiring timely notice or resulting from unforeseeable circumstances (i.e. emergencies). (Delegation Waiver)

Rationale: DCS Montessori will prescribe its own school calendar and hours of teacher pupil contact.

Replacement Plan: DCS Montessori will annually determine its own school calendar, noting that in no case shall the calendar allow for instructional or contact times to fall below the state minimum requirements described in C.R.S. 22-32-109(1)(n)(II)(A) and elsewhere in the Colorado Statutes.

Duration of the Waivers: DCS Montessori requests that the waivers be for the duration of its contract with Douglas County School Board. Therefore, the waivers are requested for five (5) academic operating years, through June 30, 2025.

Financial Impact: DCS Montessori anticipates that the requested waiver will have no financial impact upon the Douglas County School Board or the DCS Montessori budget.

How the Impact of the Waivers will be Evaluated: The impact of this waiver will be measured by the academic achievements and assessments of the students as determined by applicable District and/or State standards.

Expected Outcomes: With this waiver, DCS Montessori will be able to develop school calendars that

maximize the potential of the Montessori model of education.

C.R.S. § 22-63-203

Probationary Teachers

Description: This section requires school boards to provide for contract with probationary teachers and allows for non-renewal and renewal of employment contract.

C.R.S. § 22-63-206

Transfer-Compensation

Description: This section empowers school boards to transfer teachers and/or staff from one position to another within the district provided the contract with the teacher or staff member follows salary schedule guidelines.

Rationale: DCS Montessori should be granted the authority to develop its own employment agreements and terms and conditions of employment. DCS Montessori 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 at a traditional public school will be successful at DCS Montessori. In addition, DCS Montessori is granted the authority under the Charter School Agreement to select its own teachers. No other schools or the district should have the authority to transfer its teachers into the school or transfer teachers from DCS Montessori to any other schools, except as provided in the Charter School Agreement.

Replacement Plan: DCS Montessori has employment agreements with the terms of nonrenewal and renewal set forth in the agreement, including payment of salaries upon termination of employment. Employment offers will be given in writing and will be at an at-will and annual basis. DCS Montessori will hire teachers on a best qualified basis. There is no provision for transfers.

Duration of the Waivers: DCS Montessori requests that the waivers be for the duration of its contract with Douglas County School Board. Therefore, the waivers are requested for five (5) academic operating years, through June 30, 2025.

Financial Impact: DCS Montessori anticipates that the requested waiver will have no financial impact upon the Douglas County School Board.

How the Impact of the Waivers will be Evaluated: The impact of this waiver will be measured by the academic achievements and assessments of the students as determined by applicable District and/or State standards.

Expected Outcomes: With this waiver, DCS Montessori expects that as a result of this waiver it will be able to operate its Montessori educational program in a more efficient and productive manner, and will be accountable for the performance of teachers and students in the charter school.

C.R.S. § 22-63-201

Employment-Certificate Required

Description: This section prohibits school boards from entering into employment contract with a person who does not hold a teacher's certification or letter of authorization.

Rationale: DCS Montessori requires the authority to hire Montessori trained teachers and Head of

School that will further the school's Montessori Mission Statement. The Head of School will be a certified Montessori trained educator or administrator and will not function as district principal. The Head of School will be responsible for a wide range of tasks and act as the school's executive office and assure that the school is applying the Montessori curriculum as envisioned by the Mission Statement.

Replacement Plan: DCS Montessori requires that teachers and the Head of School are certified by an accredited Montessori teacher-training program.

Duration of the Waivers: DCS Montessori requests that the waivers be for the duration of its contract with Douglas County School Board. Therefore, the waivers are requested for five (5) academic operating years, through June 30, 2025.

Financial Impact: DCS Montessori anticipates that the requested waiver will have no financial impact upon the Douglas County School Board.

How the Impact of the Waivers will be Evaluated: The impact of this waiver will be measured by the academic achievements and assessments of the students as determined by applicable District and/or State standards.

Expected Outcomes: DCS Montessori expects that as a result of this waiver, it will be able to employ Professional Montessori Educators, and maintain its Mission of providing authentic Montessori education to the students of Douglas County.