

Lewis-Palmer School District 38

Request for Waiver of Colorado Revised Statutes

Pursuant to C.R.S. §22-2-117, Lewis-Palmer School District 38 (the “District” or “LPSD38”) hereby submits the following application for waiver of C.R.S. §22-7-1014 (2) (a). The District respectfully requests that the State Board of Education (“State Board”) grant this request, as such a waiver will enhance educational opportunity and quality within the District.

I. List of Statutes and/or Rules Requested for Waiver.

The District requests a waiver from C.R.S. §22-7-1014 (2) (a), which requires the District to administer a school readiness assessment to each student enrolled in kindergarten.

The District requests that rather than administering a State Board approved assessment (such as TS Gold), the District be permitted to rely on its system of standards based report card evaluation to measure each student’s progress toward demonstrating school readiness.

II. Waiver from C.R.S. §22-7-1014 (2) (a) is Necessary to Enhance Educational Opportunity and Quality within the District

Waiver from C.R.S. §22-7-1014(2) (a) is necessary to enhance educational opportunity and quality within the District¹. The current requirement that we administer TS Gold or a similar State Board approved assessment is burdensome and includes extensive recording of behavioral observations that duplicates current reporting of our standards based report cards. It is time consuming, does not yield any new information, and detracts from daily instruction that teachers would otherwise be providing to students. Lewis-Palmer School District 38 offers a comprehensive and detailed report card with a high degree of specificity for each content area. Additionally, indicators of Reading, Writing, Communicating, and Mathematics are generally well-aligned with the Colorado Academic Standards. Lewis-Palmer School District 38 uses the standards based report cards in grades K through 5, so requiring the District to use a different assessment tool (such as TS Gold) in kindergarten will require wasteful additional teacher training and will prevent the District from using a seamless assessment system in elementary schools. It will also lead to the confusion of multiple reporting systems or the use of a new reporting system that is not aligned with the system we use in grades 1-5.

¹The costs to the District of complying with the requirements of C.R.S. § 22-7-1014(2) significantly limit educational opportunity in the District. In addition to the financial costs associated with the administration of TS Gold, the District anticipates that administration of TS Gold will result in the loss of approximately 65 hours of valuable instructional and/or planning time.

III. The District will Comply with the Intent of C.R.S. §22-7-1014 (2) (a) by Relying on its Existing System of Standards Based Report Cards to Develop School Readiness Plans

The standards based report card currently used for kindergarten students in the District addresses the objectives and domains required to develop school readiness plans. Specifically, teachers observe, record, and communicate student progress in the areas of:

- Physical well-being/Motor development
- Social/Emotional development
- Language/Comprehension development
- Cognition/General Knowledge development
- Literacy
- Math

IV. The District Has Complied with All Legal Requirements for the Public Hearing Process

The District has complied with all notice requirements of C.R.S. §22-2-117 by posting notice in the Tribune for four weeks and three public places for not less than thirty days prior to the meeting, setting forth a description of the waiver request and the time and location of the meeting and public hearing. The notice provided:

“Pursuant to C.R.S. §22-2-117, the Lewis-Palmer School District 38 Board of Education is seeking waiver from the State Board of Education from C.R.S. §22-7-1014. The Lewis-Palmer School District 38 will consider this waiver request at 4:00 p.m. on January 11, 2016, at 146 Jefferson St., Monument, CO 80132. Public comment is welcome.”

V. The District Has Exclusive Chartering Authority

The District has exclusive chartering authority. C.R.S. §22-2-117(6) provides:

“A school district that has been granted by the state board exclusive authority to charter schools within its geographic boundaries pursuant to section 22-30.5-504 shall not be required to demonstrate that it has obtained the consent of a majority of the appropriate accountability committee, a majority of the affected licensed administrators, and a majority of the affected teachers of the affected school or district in order to apply for a waiver of any of the requirements imposed by this title or by rule promulgated by the state board.”

Thus, the District is not required to demonstrate that it has obtained the above consent.

Nevertheless, on November 10, 2015, the President met with the District Accountability Advisory Committee (DAAC) to consult with the committee concerning

the intent to seek a waiver. DAAC members had an opportunity to give feedback about the waiver request. On October 8 and 12, 2015, elementary principals and kindergarten teachers were surveyed, and they expressed overwhelming support for the concept of seeking a waiver from the State Board approved kindergarten assessments.