

Regulation: Relations with District Charter Schools

(Procedures for Establishment, Review, Renewal, Revocation and Closure)

A. Application requirements

Prerequisite for filing application

A district charter school applicant must demonstrate that a majority of the proposed charter school's pupils will reside in the chartering school district or in contiguous school districts in order to apply for or be granted a charter.

Intent to apply

Potential applicants are encouraged to:

- Contact the district's designated administrator as early as possible in their planning process.
- Attend the Colorado League of Charter Schools' Boot Camp or receive some other training for preparing their application.
- Have their application reviewed by a knowledgeable party before it is submitted to the district.

At least 90 calendar days prior to submitting an application, the applicant shall complete the intent to apply form ([LBD*-E](#)) and provide the completed form to the district's designated administrator. Failure to file the intent to apply form by the required date shall result in delay of acceptance of the application until the next academic year.

Timeline for submission of application

In accordance with this regulation, a district charter school applicant shall submit an application to the district by August 1 of the year preceding the proposed opening of the district charter school. This allows time for district administrator(s) to review the application for completeness and a review by the district accountability committee before the application is officially submitted to the Board. However, the Board and the applicant may jointly waive this deadline.

Contents of the application

The district has adopted the Colorado Charter School Standard Application for all applications submitted after 2009. The application is available at: www.cde.state.co.us/cdechart/distauthinfo. All applicants must follow the format of the Standard Application and include at a minimum the content required therein and as required by state statute. In accordance with state law, the approved district charter school application will be the basis for negotiating a contract between the district and the charter school. At a minimum, the application shall include the following:

Submission procedures

No application fee will be charged by the Board.

The application must be submitted to the district's designated administrator by 4:00 p.m. local time on August 1, or the next following business day if August 1 falls on a weekend, of the year preceding the proposed opening of the district charter school. The applicant must provide 15 original copies of the completed application printed on white paper, each contained in a 3-ring binder, with continuous page numbering and tabs separating exhibits, and a single electronic file of the application. The district's designated administrator shall review the application to determine whether all components required by law and policy have been addressed within 15 calendar days following submission. The review shall include an analysis of the budget by the finance department.

If the application is deemed complete, the district administrator will indicate the date the applicant filed the initial application, and whether it was submitted by hard copy or by electronic means, and forward the application to the district accountability committee. That completed application will become the official application. No additions will be accepted unless specifically requested.

If the application is deemed incomplete, the district administrator will document the application's deficiencies in a written notice to the applicant. Applicants shall be allowed 15 calendar days from the date of receipt of such notification to provide the missing information. Alternatively, the applicant may elect to withdraw the application or submit a complete application in a future year.

Review by charter application review committee

The charter application review committee shall review an application before submission to the Board. The committee shall include the district accountability committee, one (1) person, who need not reside in the district, with knowledge of district charter schools and one (1) parent of a student in a charter school. The charter application review committee will review the application at least 15 calendar days, if possible, from the date of the first district accountability committee meeting after the application was deemed complete and forwarded to the committee. Upon the committee's completion of its review, the designated district administrator shall forward the application to the Board for review at the next regular Board meeting.

Review by the Board

The Board shall not accept or consider an incomplete application nor shall the Board take action on an application if the information deemed necessary by district administration to complete the application is not received within the 15-day period allowed by state law. Statutory timelines for Board action upon a complete district charter application shall commence when the district's designated administrator(s)

receives the initial charter application from the charter applicant. The parties may mutually agree to waive any deadlines during the application process, including extending the deadline for Board consideration of the application.

Once a complete application has been accepted by the Board, the Board will interview the district charter applicant. Interviewing the applicant does not preclude the Board from requiring the applicant to submit additional information or documentation.

Public meetings

After giving reasonable notice, the Board shall schedule and hold community meetings in the affected areas or the entire district to obtain information to assist the Board to make a decision about the district charter school application.

Decision on the district charter application

The Board shall make a decision on a complete district charter school application by resolution in a regular or special Board meeting within 90 days after receiving the initial charter application or such deadline as may be mutually agreed upon by the Board and the applicant. The Board may approve, approve with conditions, or deny the district charter application.

The Board may unilaterally impose conditions on a district charter school applicant only through adoption of a Board resolution. Such resolution shall, at a minimum, state the Board's reasons for imposing the conditions unilaterally.

If the application is approved with conditions, the applicant must satisfy all conditions before the Board may approve the application. An applicant's failure to satisfy all of the Board's conditions shall result in the Board's denial of the application.

If the application is approved, the district charter shall be granted for a period of at least four (4) academic years.

If the application is denied or if the Board does not review the application, the Board will set forth in writing the grounds for denial or refusal to review. The Board shall notify the Colorado Department of Education of the denial and the reasons within 15 days after it makes this decision. If the application is approved, the Board will send a copy of the approved district charter to the Colorado Department of Education within 15 days after Board approval of the application.

Negotiations

All negotiations between the Board and an approved district charter school on the district charter school contract shall be concluded by and all terms agreed upon no later than 90 days after the Board resolution approving the district charter application.

B. Annual performance review of district charter

The district's administration shall use the UIP process as an annual review of the district charter school's performance.

At a minimum, the review shall include the district charter school's progress toward meeting the objectives of its accreditation plan. The Board shall also review the results of the district charter school's most recent annual financial audit.

If the district charter school is required to implement a turnaround plan for a second consecutive school year, it shall also present the turnaround plan, a summary of changes made to improve its performance, and evidence that it is making sufficient improvement to attain a higher accreditation category within two (2) school years or sooner.

The district charter school shall receive written feedback from the annual review and a copy shall be given to the Board for consideration in any decision to renew, revoke, or renegotiate the district charter.

C. Renewal of a district charter

Each district charter shall be provided a copy of these renewal procedures and timelines and receive a copy of any subsequent revisions to the procedures or timelines.

The governing body of a district charter school shall submit a renewal application to the Board no later than December 1 of the year prior to the year in which the district charter expires.

The renewal application shall contain a complete report on the progress of the school in achieving the goals, objectives, student performance standards, content standards, targets for the measures used to determine the levels of attainment of the accreditation performance indicators, and other terms of the district charter contract and the results achieved by the district charter school students on state assessments.

The renewal application shall also include a financial statement that discloses the costs of administration, instruction and other spending categories for the school; and any information or materials resulting from the district's annual review of the district charter school.

If the district charter has had an audit from another responsible party since their last renewal, they must share the audit results with their plan of action, if any. The evaluation of the plan of action may be a condition of whether the charter is renewed.

If the district charter school is requesting to expand the number of grade levels served by the district charter school in the renewal application, the Colorado Charter School Standard Application must be used as the renewal application.

The Board shall rule by resolution on the renewal application no later than February 1 of the year in which the district charter expires or by a mutually agreed upon date.

D. Revocation of a district charter

A district charter may be revoked or not renewed by the Board if the Board determines that the district charter school did any of the following:

1. Committed a material violation of any of the conditions, standards or procedures in the contract;
2. Failed to meet or make adequate progress toward achievement of the goals, objectives, content standards, pupil performance standards, targets for the measures used to determine the levels of attainment of the student performance indicators, applicable federal requirements, or other terms identified in the contract;
3. Failed to make sufficient improvement to attain an accreditation category higher than turnaround status within two (2) school years or if the district charter school is required to implement a turnaround plan for a third consecutive school year;
4. Failed to meet generally accepted standards of fiscal management; or
5. Violated any provision of law from which the district charter school is not specifically exempt.

The school district administration shall provide the Board and district charter school a written recommendation concerning whether to revoke or renew the district charter, including reasons supporting the recommendation. The recommendation shall be submitted at least 15 days prior to the date the Board will consider action to revoke or renew the district charter.

If the Board revokes or does not renew a district charter, the Board shall state its reasons for doing so in writing.

E. Closure of a district charter school

Following nonrenewal or revocation of a district charter school's charter, the school district shall, when practicable, allow the district charter school to continue to operate through the end of the school year. However, if the Board determines it is necessary to close the district charter school prior to the end of the school year, the school district shall work with the district charter school to determine an earlier closure date.

The school district shall work with the parents of students enrolled in the district charter school to ensure that students are enrolled in schools that meet their educational needs, whether such enrollment need happen mid-year or at the end of a school year.

The school district shall also work with the district charter school to ensure the district charter school meets its financial, legal and reporting obligations during the period of time that the district charter school is concluding its operations.

Adopted August 6, 2020.