



**Boulder Valley School District**  
**File: LBD-R**  
**Effective: August 27, 2019**

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**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 district 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**

At least 30 days before submitting an application, applicants must file an intent to apply form LBD-E-1 with the district.

**Timeline for submission of application**

In accordance with this regulation, a district charter school applicant shall submit an application to the district only on October 1 between 8:00 a.m. and 4:00 p.m. or by 4:00 p.m. the first business day following October 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 and district staff before the application is officially submitted to the Board. However, the Board and the applicant may jointly waive this deadline.

**Contents of the application**

In accordance with state law, the approved district charter school application will be the basis for negotiating a contract between the district and the district charter school. Applicants must file an application consistent with Exhibit LBD-E-2 which details each of the required elements. At a minimum, the application shall include the following:

1. Intent to apply form (Exhibit LBD-E-1)
2. Executive summary
3. Vision and mission
4. Evidence of support
5. Goals, objectives and student performance standards
6. Educational Program
7. Plan for Evaluating Student Performance
8. Serving Students with Special Needs
9. Governance

10. Employees
11. Parent and Community Involvement
12. Enrollment Policy
13. Transportation and Food Services
14. Facilities
15. Waivers
16. Student Discipline, Suspension or Expulsion
17. Dispute Resolution Process
18. Education management provider, if applicable
19. Budget & Finance
20. Insurance Coverage
21. Appendices and Attachments

### **Submission procedures**

No application fee will be charged by the Board.

The applicant must provide twelve (12) printed, bound copies of the completed application printed single-sided on white paper, not stapled, and an electronic copy of the application.

At least 30 days prior to submitting an application, the applicant shall complete the Intent to Apply form (Exhibit LBD-E) and provide the completed form to the Superintendent.

Only on October 1 between 8:00 a.m. and 4:00 p.m. or by 4:00 p.m. the first business day following October 1 of the year preceding the proposed opening of the district charter school, the applicant shall submit the application to the Superintendent. Within 15 days after receiving the application, the Superintendent or designee shall review the application to determine whether all components required by law and policy have been addressed and if the application is deemed incomplete, the Superintendent or designee will document the missing components in a written notice to the applicant within the 15 day period. Applicants shall be allowed 15 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.

If the application is deemed complete, the Superintendent or designee will indicate the date the applicant filed the initial application and forward the application to the District Accountability Committee.

### **Review by District Accountability Committee**

An application review committee comprised of members of the District Accountability Committee shall review an application before submission to the Board. The committee shall include one person, who need not reside in the district, with knowledge of charter schools and one parent of a student enrolled in a charter school in the district. Representatives of the district's existing charter schools shall be invited to participate on the application review committee. The District Accountability Committee's application review committee will have at least 45 days to review the application and prepare a report for Board consideration.

### **Review by District Staff**

The Superintendent shall appoint a committee of district staff to review the application before submission to the Board. At a minimum, the areas to be considered by staff are: (a) budget; (b) facilities and operations; (c) risk management and insurance; (d) human resources; (e) students with special needs; and (f) curriculum, instruction and assessment. District staff may employ outside consultants in connection with the review. The committee of district staff will have at least 45 days to review the application and prepare a report for Board consideration.

### **Applicant Response**

The applicant shall be provided with copies of the reports prepared by the District Accountability Committee and district staff and may provide additional information that responds to the reports. The additional information must be provided at least 14 days prior to the date scheduled for the Board review of the charter application.

### **Review by the Board**

The Superintendent shall forward to the Board the application, the reports from the District Accountability Committee and district staff, and any additional information provided from the applicant in response to the reports for review at the meeting scheduled for Board review of the charter application. 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 the Superintendent or designee 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 Superintendent 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.

### **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 from the charter applicant 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 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 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 agreement 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 Superintendent or designee shall create a process for and ensure 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 and 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 school years or sooner.

The district charter school shall receive written feedback from the annual review on or before December 31. The annual reviews shall be considered in connection with 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.

The Board shall act 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 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 Superintendent 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.

**End of File: LBD-R**