

Relations with District Charter Schools

The Board of Education supports efforts by parents/guardians, teachers or other interested persons or organizations interested in establishing district charter schools within the district. In accordance with state law, district charter schools are intended to:

- Expand learning opportunities for all students
- Encourage diverse approaches to learning through the use of different, innovative, research-based or proven teaching methods
- Provide parents/guardians and students with expanded choices in the types of educational opportunities that are available within the public school system
- Encourage parental and community involvement with public schools

A district charter school shall be a public, nonsectarian, nonreligious, non-home-based school which operates within the school district and is accountable to the district's Board of Education. It is subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, genetic information, age, national origin, religion, ancestry or need for special education services. A district charter school has standing to sue and be sued in its own name for the enforcement of any contract it is authorized by law to enter into.

Enrollment shall be open to any child who resides within the school district or in contiguous school districts and who meets the criteria in the district charter application. However no district charter school shall be required to make alterations in the structure of its facility or the arrangement or function of rooms within the facility except as may be required by state or federal law. The majority of the district charter school's students, other than online students, must reside in the school district or in contiguous school districts. Students participating in any online program offered by the district charter school are not required to reside in the district or contiguous districts and there shall be no restriction on the number of online students that may enroll in any online program offered by the district charter school. A district charter school shall not charge tuition except as otherwise provided by law.

Each district charter school shall be governed by its own governing body in a manner agreed to by the district charter school applicant and the Board. An approved district charter application shall serve as the basis for negotiating a contract between the district charter school and the Board. The contract shall reflect all agreements between the district and the district charter school including the waiver of local district policies and the waiver of statutory requirements or rules by the State Board of Education.

A district charter school shall comply with all the state financial and budget rules, regulations and financial reporting requirements with which the school district is required to comply.

A district charter school shall be responsible for its own operation including but not limited to preparation of a budget, contracting for services and personnel matters. Services for which a district charter school contracts with the school district shall be negotiated and provided at district cost. No rent shall be charged for use of district facilities which may be available for the district charter school. Any moneys received by a district charter school from any source that remain at the end of any budget year shall remain in the district charter school account for use by the district charter school in subsequent years.

A district charter school may offer any educational program that may be offered by a school district, including an online program, unless expressly prohibited by its district charter or by state law.

The Board encourages district charter applicants to develop an educational program to serve the needs of students considered “at-risk” academically as evidenced by poor performance on the state assessments, among other things.

A district charter school shall begin in the fall following the date the application is approved, unless another starting time is agreed upon by the Board and the applicant.

The period for which a new district charter may be approved is a minimum of four academic years. Renewal of a district charter shall be for specified periods of time.

Adopted: CASB Overhaul 2014

LEGAL REFS.: 42 U.S.C. § 2000ff *et seq.* (*Genetic Information Nondiscrimination Act of 2008*)
C.R.S. 13-80-103.9 (*liability for failure to perform an education employment required background check*)
C.R.S. 19-2-402 (3)(c) (*charter schools pay the proportionate share of educational expense of students in juvenile detention facilities*)
C.R.S. 22-2-119 (*inquiries prior to hiring*)
C.R.S. 22-30.5-101 *et seq.* (*Charter Schools Act*)
C.R.S. 22-30.5-110 (1.3) (*district shall adopt procedures and timelines for the charter renewal process*)
C.R.S. 22-30.5-110 (6) (*district shall adopt procedures for closing a charter*)
C.R.S. 22-30.5-701 *et seq.* (*Charter School Emergency Powers Act*)
C.R.S. 22-32-120 (5) (*district charter school may apply to the Colorado Department of Education for authorization as a school food authority*)
C.R.S. 22-32-124 (*pursuant to section 104 of the Charter Schools Act, all decisions regarding the planning, siting, and inspection of charter schools shall be made in accordance with the same statute that applies to school districts*)
1 CCR 301-88 (*State Board of Education's rules establishing guiding principles for charter schools and charter school authorizers*)

Fremont RE-2 School District, Florence, Colorado