

Relations with District Charter Schools

A district charter school is 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, gender identity, gender expression, marital status, national origin, religion, ancestry, age, genetic information, need for special education services, or conditions related to pregnancy or childbirth. 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 is open to any child who resides within the school district or in contiguous school districts and who meets the criteria in the district charter school application. However, no district charter school is 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 must reside in the school district or in contiguous school districts. A district charter school will not charge tuition except as otherwise provided by law.

Each district charter school is governed by its own governing body in a manner agreed to by the district charter school applicant and the Board.

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

To ensure that the district charter schools will fulfill their fundamental obligations to the public, including providing sound governance, management, and stewardship of public funds, as well as being held locally accountable for their performance, the governing body shall consist of local citizens being a majority of the membership on each district charter school's board.

A district charter school is responsible for its own operation including but not limited to preparation of a budget, personnel matters, contracting for services, and acquiring facilities. Services for which a district charter school contracts with the school district will be negotiated and provided at district cost. No rent will 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 will remain in the district charter school account for use by the district charter school in subsequent years.

The relationship between the district and the district charter school will be established by contract. The contract will also reflect all agreements between the district and the district charter school including the release of the district charter school from Board of Education policies, negotiated agreement, and all requests for release from state regulations which the Board of Education and the district charter school will jointly request from the State Board of Education.

Each district charter school will have an educational program with student performance standards and curriculum that meets or exceeds district academic standards.

A district charter school may offer any educational program that is specifically approved in their contract. Additional educational programs, including an online program, must go through the district Board of Education and charter school contract approval process.

A district charter school will begin operation 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 must be for specified periods of time.

Adopted: May 11, 1994
Revised: March 22, 1995
Revised: August 13, 1997
Revised: September 8, 1999
Revised: October 13, 2004
Revised: January 12, 2011
Revised: November 14, 2012
Revised: October 28, 2015
Revised: August 26, 2020
Revised: October 13, 2021

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 must adopt procedures and timelines for the charter renewal process)
C.R.S. 22-30.5-110 (6) (district must adopt procedures for closing a charter)
C.R.S. 22-30.5-701 *et seq.* (Charter School Emergency Powers Act)
C.R.S. 22-32-109 (1)(pp) (district must annually distribute to district charter schools informational materials relating to federal student loan repayment programs and student loan forgiveness programs)
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 must 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)

St. Vrain Valley School District RE-1J, Longmont, Colorado