

RESOLUTION

Conditionally Approving a Charter to Belmar Academy

WHEREAS, on August 15, 2012, the Board of Education of Jefferson County School District No. R-1 received a charter school application from Belmar Academy; and

WHEREAS, applying the Rubric for Review of a Standard Charter School Application approved by the Colorado Department of Education, the charter school application has been reviewed by District administrators with expertise in each of the designated Rubric categories, by the District's Charter School Review Committee (also known as the Accountability Committee), and by members of the Superintendent's Cabinet. Comments from the reviewers were provided to Board (attached hereto as Exhibits A-L).

WHEREAS, the District's Accountability Committee and the Board have reviewed the charter school application in accordance with the requirements of C.R.S. §§ 22-30.5-107(1) & (1.5); and

WHEREAS, the Board scheduled a public meeting on October 4, 2012 in accordance with the requirements of C.R.S. § 22-30.5-107(2), at which representatives of Belmar Academy made a presentation to and received questions from the Board; and

WHEREAS, the Charter Schools Act requires the Board to rule by resolution on the charter school application within 75 days after its receipt; and

WHEREAS, the Board has considered the charter school application; additional information provided by Belmar Academy at the public meeting and subsequent to the public meeting; the Charter Schools Act; District policies and regulations; and the comments provided by those involved in reviewing the application and applying the CDE's Standard Rubric for Review of a Charter School Application.

NOW, THEREFORE, BE IT RESOLVED by the Board that the charter school application is approved for Belmar Academy to begin operations in the fall of 2013 for the 2013-2014 school year for a term of three (3) years, subject to and pending satisfaction of the following terms and conditions, as well as all other terms and conditions as may be required by law:

1. Because the charter school application does not include any proposal for and disclaims any intention to operate an on-line education program, Belmar Academy is not authorized under this Resolution to provide educational services to students through any form of on-line program, including but not limited to an on-line program created and/or operated pursuant to C.R.S. §§ 22-33-104.6.

2. Belmar Academy shall locate a site to accommodate the proposed programs of its charter school, which is acceptable to the Board, on or before March 15, 2013 at 4:30 p.m. If the Board determines that this condition has not been fully satisfied, the charter school application shall be deemed to be denied by the Board. In no event shall the Board action described in this

paragraph be construed as a revocation of or a refusal to renew a purported Belmar Academy charter or charter school contract.

3. Belmar Academy shall submit to the Board on or before March 15, 2013 at 4:30 p.m. a lease, lease/purchase or purchase agreement signed by an authorized representative of the lessor/seller and ready for signature by Belmar Academy for an appropriate charter school site and facility, which includes a schedule for any required construction and remodeling with substantial completion on or before July 31, 2013; which includes terms requiring the facility to be in full compliance with all applicable federal, state and local laws, including but not limited to the Americans with Disabilities Act; and which includes an addendum in substantially the form attached hereto as Exhibit M. The Board or its designee shall indicate whether the lease, lease/purchase or purchase agreement is acceptable within ten (10) days of the Board's receipt thereof, and it shall be immediately signed by Belmar Academy if the Board or its designee indicates it is acceptable. The Board or its designee may reject the lease, lease/purchase or purchase agreement on reasonable grounds, and if the grounds for rejection are not cured within ten (10) days of the rejection, this condition shall be deemed not to have been fully satisfied and the charter school application shall be deemed to be denied by the Board. In no event shall the Board action described in this paragraph be construed as a revocation of or a refusal to renew a purported Belmar Academy charter or charter school contract.

4. The Board must determine that the following conditions have been fully satisfied:

a. Belmar Academy shall submit to the Board's designee on or before March 15, 2013 a list of the names, addresses, phone numbers and basic biographical information of each member of the Belmar Academy Governing Board and confirmation that each Board member has been subjected to criminal background check consistent with C.R.S. §§ 22-32-109.7.

b. Belmar Academy shall submit to the Board's designee on or before March 15, 2013 at 4:30 p.m. written detailed descriptions of all employee benefits to be offered during the 2013-2014 school year, that must specify which employment positions are entitled to which benefits and that must be properly reflected in the budget.

c. Belmar Academy shall submit to the Board's designee on or before March 15, 2013 at 4:30 p.m. finalized copies of all proposed personnel policies and all proposed employment contract forms to be used for each different class of its employees. The Board or its designee shall indicate whether the personnel policies and employment contract forms are acceptable within ten (10) days of the Board's receipt thereof. The Board or its designee may reject the personnel policies and/or employment contract forms on reasonable grounds, and if the grounds for rejection are not cured within ten (10) days of the rejection, this condition shall be deemed not to have been fully satisfied and the provisions of paragraph 5 below shall apply.

d. Belmar Academy shall submit to the Board's designee on or before March 15, 2013 at 4:30 p.m. a definitive and specific curriculum to be implemented for the 2013-2014 school year and specific information on pupil performance standards and how student performance will be evaluated, measurable annual achievement goals based on state accreditation standards, what specific types of assessment will be used to measure student progress toward achievement of Belmar Academy's performance standards, the timeline for achievement of such standards, and the procedures for addressing the needs of students who fall below the standards. The Board or its designee shall indicate whether this information is acceptable within ten (10) days of the Board's receipt thereof. The Board or its designee may reject the information on reasonable grounds, and if the grounds for rejection are not cured within ten (10) days of the rejection, this condition shall be deemed not to have been fully satisfied and the provisions of paragraph 5 below shall apply.

e. Belmar Academy shall submit to the Board's designee on or before March 15, 2013 at 4:30 p.m. a balanced budget that satisfies applicable legal requirements and public entity accounting principles; and that properly accounts for the educational programs, start-up costs, site costs, capital expenses, operational costs, employee compensation and benefits, materials, equipment and purchased services that have been represented in the charter school application and in subsequent communications with the District. The Board or its designee shall indicate whether the budget is acceptable within ten (10) days of the Board's receipt thereof. The Board or its designee may reject the budget on reasonable grounds, and if the grounds for rejection are not cured within ten (10) days of the rejection, this condition shall be deemed not to have been fully satisfied and the provisions of paragraph 5 below shall apply.

f. Belmar Academy shall submit to the Board on or before March 15, 2013 at 4:30 p.m. signed statements from parents in the form attached hereto as Exhibit N, demonstrating that no fewer than 100 FTE students have enrolled in and will attend Belmar Academy beginning in the fall of 2013 for the 2013-2014 school year.

g. Given the potential for confusion between the District's existing Belmar Elementary School and Belmar Academy, Belmar Academy shall modify its name no later than March 15, 2013.


h. Belmar Academy shall sign a charter school contract acceptable to the Board on or before April 1, 2013 at 4:30 p.m.

5. In the event the Board determines that any condition specified under paragraph 4 above has not been fully satisfied, the charter school application shall be deemed to be denied by the Board on April 3, 2013. In no event shall the Board action described in this paragraph be construed as a revocation of or a refusal to renew a purported Belmar Academy charter or charter school contract.

6. Upon mutual agreement of the Board or its designee and Belmar Academy, the deadline of April 1, 2013 for executing the charter school contract may be extended. Upon request from Belmar Academy and its demonstration that it is working diligently to meet the requirements set forth above, the Board or its designee may adjust any of the other timelines set forth in paragraphs 2, 3 and 4, provided there is good cause for Belmar Academy's inability to meet the timeline(s) at issue.

Adopted this 1st day of November, 2012.

JEFFERSON COUNTY SCHOOL
DISTRICT R-1

By: 
Lesley Dahlkemper
President, Board of Education

Attest:

By: 
Jill Fellman
Secretary, Board of Education