

DOUGLAS COUNTY SCHOOL DISTRICT RE. 1

RESOLUTION OF CONDITIONAL APPROVAL

Conditional Approval of the Charter Application of

Apex Community Charter School

WHEREAS, on March 15, 2016, the Board of Education (“Board”) of the Douglas County School District RE-1 (“District”) received a charter school application from the founding board of Apex Community Charter School, a proposed Colorado nonprofit K-8 charter school, (“Applicant”), for the establishment of Apex Community Charter School (“Apex”) as a district charter school;

WHEREAS, on July 19, 2016, the Board granted a waiver of the normal charter application timeline to allow Apex to resubmit its charter application, Apex having withdrawn the application previously prior to a Board vote;

WHEREAS, the Charter Application Review Team has completed its review of the Apex application and recommends to the Board that Apex be approved to begin operations as a district charter school in the fall of 2018 for the 2018-2019 school year, and to operate for a term of five (5) years, subject to and pending satisfaction of several conditions outlined below; and

WHEREAS, the Board recognizes the demand for and the value of choice school offerings in Douglas County School District RE-1, and

WHEREAS, the Board acknowledges the hard work on the part of the organizers of Apex, and seeks to promote a healthy balance among expanding choice options, a focus on the best interest of educationally disadvantaged students, and required fiscal soundness and accountability.

NOW, THEREFORE, BE IT RESOLVED by the Board that the charter school application submitted by Apex Community Charter School is conditionally approved, subject to and pending satisfaction of the following conditions, as well as all other terms and conditions as may be required by law:

1. By February 3, 2017, the Applicant shall provide evidence to the district of a minimum of 155 written expressions of intent to enroll encompassing grades K-6, including information as to those students’ current schools of attendance, and by November 3, 2017 a minimum of 435 written expressions of intent to enroll;
2. By January 5, 2018, the Applicant shall have a minimum of 367.5 FTE full-time equivalent students (Student FTEs) committed to the various grade levels proposed in the charter school application to be served the first year, as validated by the District’s open enrollment process, and enrolled in Apex as soon as practicable;

3. Apex shall submit to district staff on or before February 15, 2018, a location lease or purchase agreement and an approved traffic plan for an appropriate charter school facility available for use on or before August 15, 2018;
4. Apex shall present a detailed budget for fiscal year 2018-2019, as well as a projected budget for the fiscal years of 2018-2023 to be approved by the District's Chief Financial Officer on or before April 1, 2018;
5. Apex will hire a school leader/principal on or before March 1, 2018.

Unless otherwise stated above or subsequently agreed by the Board or the District Superintendent, in the event that Conditions 1 through 5 above have not been satisfied by the dates indicated, this conditional approval will be withdrawn and the application will be deemed denied. In no event shall denial for failure of any condition or withdrawal of conditional approval be construed as a revocation of the purported Apex charter or school contract.

In the event the above conditions are met by the dates indicated, the Apex board shall sign a charter school contract, acceptable to the Board, on or before February 13, 2017, unless the applicant and the Board or the District's Superintendent agree to extend that date. The contract shall reflect a resolution of the above issues as well as all other required and recommended terms negotiated with District representatives. In the event the Board determines that an acceptable contract has not been executed by February 13, 2017, or such date as may have been extended as provided herein, the charter school application shall be deemed denied by the Board on the date of such determination. In no event shall the Board action described herein be construed as a revocation of a purported charter or school contract.

Approved this 15 day of November, 2016.

DOUGLAS COUNTY SCHOOL DISTRICT RE-1

By: Madeline Shuck
President, Board of Education

Attest:

By: Nikki Gishenberg
Secretary, Board of Education