

**RESOLUTION OF THE BOARD OF EDUCATION
OF
DOUGLAS COUNTY SCHOOL DISTRICT RE-1**

**(Regarding Authorization of District’s Administration to
Negotiate A Lease with Lemman Classical School Regarding A School Site)**

WHEREAS, Lemman Classical School, also known as the Lemman Academy of Excellence (hereinafter referred to as “Lemman” or the “Applicant”) is a charter school of Douglas County School District RE-1 (“District”) that is presently authorized to operate one PK-8 charter school in the District pursuant to the Charter Schools Act, C.R.S. §§ 22-30.5-101 to -120 (the “Act”); and

WHEREAS, the District is a public school district duly organized and existing under the Constitution and laws of the State of Colorado; and

WHEREAS, the Board of Education of the District (the “Board”) has the power, pursuant to Section 22-32-110(1)(f), Colorado Revised Statutes, to rent or lease unimproved real property to a lessee that is a charter school as defined in Section 22-30.5-403(3), Colorado Revised Statutes, for a term not exceeding thirty years, or in the case of a charter school using debt financing, for a term not exceeding the term of the debt financing, subject to all land use and building and zoning plans, codes, resolutions, and regulations; and

WHEREAS, on June 21, 2022, the District’s Board of Education conditionally approved Lemman’s Replication Application for a term of four (4) years, with operations to begin in the fall of 2024, subject to and pending satisfaction of specified terms and conditions, including that Lemman submit to the District on or before January 15, 2023, a location lease or purchase agreement satisfactory to the District for an appropriate charter school facility within the District’s boundaries that complies with applicable planning, construction, and occupancy requirements for a public charter school and that will be available for occupancy by Lemman on or before August 1 of the first year of operation; and

WHEREAS, Lemman has not yet entered into a lease or purchase agreement for an appropriate future replicated charter school facility; and

WHEREAS, District staff has reviewed and evaluated impact factors and determined that there is a need for future center-based special education relief and general capacity relief in the District’s Parker Region; and

WHEREAS, District staff has communicated with Lemman and determined that Lemman is committed to addressing these needs and will agree to the following if the District agrees that Lemman can lease a District-dedicated school site from the District for its future replicated charter school facility:

- Lemman will construct its future replicated charter school facility to include, at its expense, two (2) center-based special education program classrooms and one (1) office for District use; and

- Leman will weight their lottery system to address the District’s need for general capacity relief in the District’s Parker Region.

WHEREAS, Leman has made a request for a District dedicated school site; and

WHEREAS, the Board’s Long Range Planning Committee has considered Leman’s request for a District dedicated school site and has taken action to recommend that the Board approve Leman’s request to lease unimproved District real property, in accordance with their proposal and in accordance with the capacity needs of the District; and

WHEREAS, District staff and Leman have identified approximately eleven (11) acres of a District-dedicated school site as being well-suited to address center-based special education relief and capacity relief in the Parker Region, such dedicated school site has a Plat description of Cielo Subdivision Filing 1, Tract A (the “Cielo Dedicated School Site”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF DOUGLAS COUNTY SCHOOL DISTRICT RE-1 THAT:

1. The District’s administration is hereby authorized to proceed to negotiate a lease agreement with Leman which would enable Leman to lease 11 acres of the Cielo Dedicated School Site so that Leman can construct its future replicated school facility on such site so long as such facility will include two center-based special education program classrooms and one related office for District use and so long as Leman agrees to weight their lottery system to address the District’s need for capacity relief in the District’s Parker Region.

2. Such lease agreement shall be presented for consideration by the Board of Education no later than January 15, 2023.

PASSED AND ADOPTED this 27th day of September, 2022.

DOUGLAS COUNTY SCHOOL DISTRICT
RE-1

[SEAL]

By _____
Mike Peterson, President

Attest:

By _____
Becky Myers, Secretary