

Memo

To: Colorado School Districts
From: Gretchen Morgan: Executive Director Choice and Innovation
Date: July 8, 2014
Re: Board Resolutions No Longer Required for Requesting Waivers from State Law

With the recent change in legislation, charter schools are no longer required to submit a signed board resolution from their local authorizing board when requesting waivers from state statute. **22-30.5-104 C.R.S.** (HB 14-1292) states that a district applying for a waiver on behalf of a charter need only supply a copy of the current, signed charter contract. We anticipate this change is welcome news to the charter community.

The new legislation requires the State Board of Education to promulgate rules identifying automatic waivers for charter schools, using criteria that considers the overall impact and complexity of the requirements specified in statute and the potential consequences that waiving the statute may have on the practices of the charter school. In preparation for the rulemaking process, our office is working with the Colorado League of Charter Schools to help us gather and summarize input for this rule-making.

As a result of this legislation, all new waivers requests, both automatic and non-automatic, will be submitted to the state board with replacement plans until the new rules have been adopted.

Further guidance on the waiver request process will be issued once State Board rule-making is complete. We anticipate initiating the formal rulemaking process in September, 2014. If you have any questions on current procedures, we encourage you to review the waiver submission process outlined on our website at

<http://www.cde.state.co.us/cdechart/waivers.asp>) or direct any questions about the waiver request process to:

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