

**Monday, September 25, 2023**

## **Important Update Regarding Policies LBD\* and LBD\*-R - Action Required**

Dear CASB members,

We have important information to share about policy LBD\* and LBD\*-R. We updated these policies in our [August 1, 2023 Special Policy Update](#) (“SPU”) based on changes from [House Bill 23-1025](#). This bill creates a new required timeline for charter school applications and an optional rural timeline.

When releasing the updates, we interpreted [HB23-1025](#) to mean that the new timelines applied to charter school applications submitted after December 31, 2023, for charter schools beginning in 2025. The bill had two statements about when the bill’s new timelines would start:

- “This act applies to charter applications that are submitted after December 31, 2023;”  
*and*
- “for applications beginning in 2025.”

We interpreted the second statement as follows: because the first statement clearly indicated the submission date for the charter application, and the second statement was less explicit about the year 2025, CASB understood the second statement to mean it applied to applications for schools starting in 2025. If a charter school was planned to start in 2025, this means the application deadline for such a school would fall between February 1 and April 1, 2024.

However, internal discussions and communications with the Colorado Department of Education have made it apparent that the bill’s intent was to apply to applications submitted beginning in 2025, despite the language in the bill to the contrary. As such, the SPU’s versions of LBD\* and LBD\*-R ***should not be adopted until December 2024 or January 2025.***

### **Next Steps**

We are providing the pre-SPU and updated versions of the policies, as seen below, to this email for your convenience. Both policies have note boxes stating when they should be implemented. These policies will be posted on our Core and BOCES Policy Manuals shortly.

- The pre-SPU version of LBD\* and LBD\*-R:
  - Entitled ***LBD\* (2024 Sample)*** and ***LBD\*-R (2024 Sample)***
- The updated versions of LBD\* and LBD\*-R
  - Entitled ***LBD\* (2025 Sample)*** and ***LBD\*-R (2025 Sample)*** .

**Below, you will find clear steps that you should take if you 1) Adopted LBD\* and/or LBD\*-R, or 2) Did not adopt LBD\* and/or LBD\*-R.** Keep in mind that policy adoption should be conducted pursuant to your board policy. CASB provides a sample policy adoption policy BG, and the below steps are in conjunction with this sample policy and Robert’s Rules of Order. However, your district’s steps may be different.

Finally, if you have any questions, please contact Rachel Amspoker at [ramspoker@casb.org](mailto:ramspoker@casb.org).

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### **Adopted LBD\*and/or LBD\*-R**

1. At your next board meeting, vote on a Motion to Rescind the motion in which your board adopted the new version of LBD\* and/or LBD\*-R. Provide notice of the Motion to Rescind in your board meeting agenda prior to the meeting. A Motion to Rescind requires a majority vote if notice is given.
  2. At the same board meeting, conduct the first reading of the previous version of LBD\* and/or LBD\*-R.
  3. At the following board meeting, vote regarding the implementation of the previous version of LBD\* and/or LBD\*-R. No second reading is required because the changes are mandated due to a change in law.
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### **Did not adopt LBD\* or LBD\*-R**

If your district did not adopt either policy, ***you do not need to take any steps at this time.*** However, keep in mind that you should not update LBD\* or LBD\*-R until December 2024 or January 2025. CASB will email a reminder to adopt LBD\* or LBD\*-R around this time so that you are in compliance for 2025.