

Power to Abstain and Withdrawal

A participating school district may refrain from participating in a specific activity or program of the BOCES provided the school district's board of education formally approves a resolution to that effect and such abstention is in accordance with applicable law, including any required timeline.

The resolution shall be delivered to the BOCES within thirty-five (35) days after the BOCES notifies the school district of the proposed activity or program. No school district shall be bound to participate in the proposed activity or program unless the BOCES provides written notice to the district, advising the district of the proposed activity or program. Such written notice shall be provided with sufficient time for the district's local board to consider it and make a determination within the timeline provided by this policy.

Withdrawal

A participating school district may withdraw from the BOCES provided the district's board of education formally approves a resolution authorizing such withdrawal and such withdrawal is in accordance with applicable law including any required timeline and approval by the Colorado Department of Education. All contracted and financial obligations of the withdrawing district shall be satisfied or completed prior to the district's withdrawal.

ADOPTED: May 9, 2017

LEGAL REFS.: C.R.S. 22-5-112 (*veto power and dissolution*)
[C.R.S. 22-20-106 (1) (*a school district must be an administrative unit or part of an administrative unit for purposes of serving students with disabilities*)]
[1 CCR 301-8, 2220-R-3.01 *et seq.* (*standards for administrative units, including timeline and requirements to form a new administrative unit or reorganize an existing administrative unit*)]