

Charter Schools

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CONCEPTS AND ROLES

BP 10000

Charter schools are schools established under AS 14.03.250 that operate within the public school district. Charter schools are established upon the approval by the School Board and the State Board of Education of an application for a charter school. Charter schools shall operate under a written contract between the charter school and the School Board.

The School Board Shall:

1. Prescribe an application procedure, including the formation of an Academic Policy Committee.
2. Make decisions on charter school applications in writing and issued within 60 days, including relevant findings of fact and conclusions of law.
3. Provide an annual program budget based on student enrollment.
4. Require that Academic Policy Committees support the mission and strategic plan goals of the District by communicating feedback to the School Board, including recommended responses and actions.

Role of the Superintendent

1. Once the School Board has a decision in regards to a contract with the Charter School, they will work with DEED to communicate the decision of the Board in regards to the Charter School.
2. Work with the Principal and APC to ensure reports are timely to the School Board.
3. Ensure that the Charter is following their contract with the School District

To guide these efforts, the School Board adopts the following definitions:

"Employees" of charter schools are considered employees of the district with all rights guaranteed by their respective collective bargaining agreements unless specifically waived by mutual agreement between the appropriate bargaining unit and School Board.

"Principal" means a person selected by the Academic Policy Committee to select, appoint, or otherwise supervise employees of the charter school. This person is required to possess an Alaska Type B Administrative Certificate. The school district assumes no responsibility for employing this person after the termination of the charter school contract unless the person has tenure.

"Head Teacher" means a person selected by the Academic Policy Committee to select, appoint, or otherwise supervise employees of the charter school. This person is not required

to possess an Alaska Type B Administrative Certificate. If a type B is not possessed, the individual may not conduct certificated employee evaluations. The school district assumes no

CONCEPTS AND ROLES

BP 10000(b)

responsibility for employing this person after the termination of the charter school contract unless the person has tenure.

"Annual program budget" means the funding generated by students enrolled in the charter school as set forth in AS 14.03.260.

Note: Charter schools operating correspondence programs must comply with the requirements for state approval and operation as set forth in 4 AAC 33.405 – 4 AAC 33.490. Charter schools operating residential programs must comply with the requirements set forth in AS 14.16.100 and 4 AAC 33.090.

Legal Reference:

Alaska Statutes

14.03.250-14.03.280 Charter Schools

AS 14.16.100 Application for residential school

Alaska Administrative Code

4 AAC 33.110-119 Charter Schools

4 AAC 33.405 - .490 Correspondence Study Programs

4 AAC 33.090 District-operated statewide and district-wide residential schools

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ESTABLISHMENT OF CHARTER SCHOOLS

BP 10010

The School Board shall give appropriate consideration to any charter school application, in light of its overall effect on the district's children and the proposed school's ability to function effectively and meet its goals. The School Board desires to support innovations which improve student learning and views charter schools as an opportunity to implement school-level reform. In accordance with law, the proposed charter must include descriptions of the vision, mission and goals of the charter school, the governance structure which will be used, the educational outcomes to be attained by students, and the method by which progress in meeting these outcomes will be measured. The mission of the proposed charter school must be compatible with the School Board's priorities and the existing mission statement and strategic plan of the district.

Charter school applications must be in accordance with AS 14.03.250. Charter school applications and renewals may be submitted at any time, however they must be received by the school district no later than October 1 preceding the school year for which applicants propose commencement of charter school operations. All applications will be subject to administrative review and comment prior to the School Board's review. A charter school shall begin operation as agreed with the School Board, but no later than the first day of the count period of the year approved for opening.

Legal Reference:

Alaska Statutes

14.03.250 Application for Charter Schools

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ORGANIZATION OF A NON-PROFIT FOR A CHARTER SCHOOL AR 10010

A district charter school may organize as a nonprofit corporation pursuant to the Alaska Non-profit Corporations Act (AS 10.20.005) Organization as a nonprofit corporation shall not affect the charter school's status as a public school in the District. A charter school organized as a nonprofit corporation, but not a distinct non-profit corporation organized to support the school, must include in its articles of incorporation a provision specifying that upon dissolution, voluntary or otherwise, assets of the corporation not required for discharge of existing liabilities and obligations of the charter school, shall be returned/transferred to the District.

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CHARTER SCHOOL APPLICATION

BP 10020

The following steps shall be followed in making an application for the establishment of a charter school, in accordance with AS 14.03.250 and 4 AAC 33.110. Applicants are cautioned that the Alaska Department of Education and Early Development has its own policies and deadlines, and to the extent the applicant's proposed charter school may be affected by those deadlines, the applicant should take those deadlines into account. The charter school application and proposed contract with the School Board shall comply with all application procedures and requirements as defined by AS 14.03.255, AS 14.03.250 and 4 AAC 33.110 and address all elements specified within the district policies and administrative regulations.

1. After receiving a Notice of Intent, the superintendent shall establish an administrative committee to meet with the charter school representatives to review the application procedures and requirements.
2. Following the initial meeting with the administrative committee, the charter school representatives shall prepare the application with all the required information and a proposed contract between the school and the Board, as well as the development of bylaws.
3. The contract between the charter school and the School Board shall reflect all agreements regarding the operation of the charter school. Any revisions of the terms of the contract may be made only with the approval of the School Board and charter school Academic Policy Committee. The contract will take effect upon the State Board of Education's approval of the application.
4. Following the timely receipt of the complete application form and the proposed written contract between the charter school and the School Board, the Board shall hold a public work session with the charter school representatives. During this work session, the charter school representatives shall present their proposal for a charter school and the contract with the School Board. The School Board and the charter school representatives may negotiate provisions of the contract during this meeting.
5. Following the work session the School Board shall place the charter school proposal on the agenda for a School Board meeting. A public hearing may be held prior to the approval or denial of the charter school application. The School Board will take action to approve or deny the request to establish the charter school.
6. Upon approval of a charter school application, the School Board will submit to the State Board of Education a copy of the charter school application and a report on the action taken by the School Board not later than 30 working days following the School Board's action, in accordance with 4 AAC 33.110(b).

(cf. E 10020 - Sample Bylaws)

CHARTER SCHOOL APPLICATION

BP 10020

Legal Reference:

Alaska Statutes

14.03.250-14.03.280 Charter Schools

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DEED INITIAL CHARTER SCHOOL APPLICATION FORM

E 10020

DEED provides a model initial application form for all proposed charter schools in Alaska.

The DEED Initial Charter School Application Form is available at:

https://education.alaska.gov/alaskan_schools/charter

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CHARTER SCHOOL APPLICATION APPEALS

BP 10021

If the School Board denies an application for a charter school, the applicant may appeal the denial to the Commissioner of Education and Early Development within 60 days of the School Board's denial, in accordance with AS 14.03.250(d). A decision of the Commissioner upholding the denial may be appealed by the charter school applicant within 30 days to the State Board of Education. If the Commissioner approves the application, they shall forward it to the State Board of Education for review and approval.

Legal Reference:

Alaska Statutes

14.03.250(d) – Application for charter school

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GENERAL REQUIREMENTS

BP 10030

1. A charter school shall comply with all district policies, regulations, and procedures, except to the extent that the charter school is specifically exempted from compliance under its charter school contract. For example, a charter school shall comply in all respects with district discipline policies and the district's accounting, purchasing, audit, and other fiscal procedures.
2. A charter school shall operate in compliance with state and federal laws, and with school district policies and administrative regulations.
3. A charter school shall comply with the provisions of collective bargaining agreements applicable to teachers or employees of the school, unless the district and the affected bargaining unit agree to an exemption from the agreement's requirements.
4. A charter school shall operate under the annual program budget established in the charter school's contract with the School Board.
5. A charter school may not be affiliated with a religious organization or promote religion or any particular religious ideology or philosophy.
6. Facilities: All charter school lease and purchase agreements will adhere to local laws and regulations. No lease agreement or purchase agreement may be entered into without the approval of the charter school's Academic Policy Committee and the Superintendent. A lease agreement will not be approved unless the agreement includes: a provision for termination of the lease agreement, without further financial obligation of the charter school or the district, in the event of a lack of appropriation/funding for the charter school or in the event of termination of the charter school's authorization to operate as a charter school. A charter school shall conduct its program in a facility that satisfies all health and safety requirements applicable to other district schools. A charter school shall have insurance that complies with district policy.
7. The charter school shall comply with the requirements of the district facility safety and security standards.
8. The charter school shall be designed to advance basic skills areas (mathematics, science, language arts, and social studies) appropriate to the age of students included in the program. The charter school disciplinary program shall enforce Alaska statutes, state and federal regulations, and district policies with respect to drugs, alcohol, weapons, tobacco, harassment, and violence.

GENERAL REQUIREMENTS

BP 10030(b)

9. The charter school shall participate in all academic reporting processes as required by the district policies and regulation and by Alaska statute.

10. The charter school shall participate in all tests and assessments required by either the State Department of Education and Early Development or the district unless the contract specifies otherwise.

11. A charter school shall not charge tuition to students who reside within the district. Fees collected in adherence with district policies and regulations and the charter contract, such as for supplies, educational enhancement, or activities, must be deposited in a district account.

12. A charter school operating as a correspondence program or a residential program shall comply with all requirements of Alaska statute and regulation.

(cf. 3530 - Risk Management)

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ORGANIZATION OF A CHARTER SCHOOL

AR 10030.1

A charter school operates as a school in the school district except a charter school:

1. Is exempt from the school district's textbook, program, curriculum, and scheduling requirements.
2. Is exempt from AS 14.14.130(c) which states "If the district employs a chief school administrator, the administrator shall select, appoint, and otherwise control all school district employees who serve under the chief school administrator subject to the approval of the School Board." The principal of the charter school shall be selected by the Academic Policy Committee.
3. Operates under the charter school's annual program budget as set out in the contract between the School Board and the charter school.
4. Shall designate a contact person for all communications between the charter school and the district administration.

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OPERATION OF A CHARTER SCHOOL

AR 10030.2

A charter school shall:

1. Keep financial records of the charter school;
2. Oversee the operation of the charter school to ensure that the terms of the contract are being met;
3. Meet regularly with parents and with teachers of the charter school to review, evaluate, and improve operations of the charter school; and
4. Meet with the Academic Policy Committee at least once each year to monitor progress in achieving the committee's policies and goals.

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ACADEMIC POLICY COMMITTEE

BP 10040

Charter schools shall establish an Academic Policy Committee. Each application for a charter school shall include a description of the Academic Policy Committee and its procedures. The Academic Policy Committee shall consist of parents of students attending (or planning to attend) the charter school, teachers at the charter school (or teachers who agree to teach at the charter school), and employees of the charter school (or employees who agree to work at the charter school). The committee composition details are documented in the By-Laws of the Charter School.

The Academic Policy Committee shall supervise the academic operation of the charter school and ensure the fulfillment of the mission of the charter school. The Academic Policy Committee will meet regularly and not less than four times during the academic year with teachers and staff to monitor progress in achieving the policies and goals established for the school and to review, evaluate, and improve its operations.

The Academic Policy Committee shall select the principal/head teacher of the charter school. The principal/head teacher shall select, appoint, or otherwise supervise employees of the charter school in accordance with District HR policies. If the person selected as the principal/head teacher by the Academic Policy Committee does not possess an Alaska Type B administrative certificate, the Superintendent shall designate an administrator to evaluate the certified staff/teacher(s) in the charter school.

The Academic Policy Committee will function according to the terms of law.

The Academic Policy Committee shall report directly to the Superintendent or designee.

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CODE OF ETHICS

AR 10040.1

Members of Academic Policy Committees (APCs) represent their charter school community. They are subject to the following code of ethics:

1. My school community has entrusted me with the educational development of the children and youth of this community;
2. The public expects my first and greatest concern to be in the best interest of each and every one of these young people without distinction as to who they are or what their background may be;
3. The future welfare of the school community, district, state, and of the nation depends upon the quality of education we provide in the public schools to fit the needs of every learner;
4. My fellow Academic Policy Committee members and I must take the initiative in helping all the people in this school community to have all the facts, all the time, about our school;
5. I must never neglect my personal obligation to the school community and my obligation to the district, state, nor surrender these responsibilities to any other person, group, or organization.

In view of the foregoing consideration, it shall be my constant endeavor:

1. To devote time, thought, and study to the duties and responsibilities of an Academic Policy Committee member, as outlined in our by-laws so that I may render effective and creditable service;
2. To work with my fellow Academic Policy Committee members in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debate of points at issue;
3. To base my personal decision upon all available facts in each situation; to vote my honest conviction in every case, unswayed by partisan bias of any kind; thereafter, abide by and uphold the final majority decision of the Academic Policy Committee and the School Board;
4. To remember at all times that as an individual I have no authority outside the meeting of the Academic Policy Committee, and to conduct my relationships with the school staff, local citizenry, media representatives and all other agencies or individuals on the basis of this fact.
5. To resist every temptation and outside pressure to use my position as an Academic Policy Committee member to benefit either myself or any other individual or agency apart from the total interest of the school;

CODE OF ETHICS

AR 10040.1

6. To recognize it is as important for the Academic Policy Committee to understand and evaluate the educational program of the school as it is to plan for the business of school operation;
7. To bear in mind under all circumstances that the primary function of the Academic Policy Committee is to recommend procedures by which the school is to be administered, but that the administration of the educational program and the conduct of school business shall be left to the employed principal or designee of the school and staff;
8. To welcome and encourage active cooperation by citizens, organizations and the media of communication in the district with respect to making recommendations on current school operations and proposed future developments;
9. Finally, to strive step by step toward ideal conditions for the most effective Academic Policy Committee service to my community, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and perpetuation of our representative democracy.

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PRINCIPAL / HEAD TEACHER

BP 10050

Charter School Principal

A charter school principal must possess a current Alaska Administrative Certificate and be either an existing principal in the district or be eligible for hire as a district administrator. A retired district administrator may serve as a charter school principal if the administrator left the district in good standing, had satisfactory performance evaluations, and has a current administrative certificate. The school district assumes no responsibility for employing this person after the termination of the charter school contract except as required by state statute and/or an applicable negotiated agreement.

If the charter school Academic Policy Committee desires to contract by addendum with a principal who is currently employed as a district principal, the superintendent's approval is required prior to entering into the contract.

Charter School Head Teacher

A charter school head teacher is not required to possess an Alaska type B administrative certificate. A head teacher must possess an Alaska type A certificate and be either an existing teacher in the district or be eligible for hire as a district teacher. A retired district teacher may serve as a charter school head teacher if the teacher left the district in good standing, had satisfactory performance evaluations, and has a current teacher certificate. The school district assumes no responsibility for employing this person after the termination of the charter school contract except as required by state statute and/or an applicable negotiated agreement.

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CHARTER SCHOOL PRINCIPAL AND HEAD TEACHER EVALUATION AR 10050

Principal Evaluation

The district will designate a qualified evaluator to conduct an evaluation of the charter school principal. The individual conducting the evaluation will meet the requirements of AS 14.20.149 and will utilize the district's administrator evaluation procedures.

The evaluator shall ensure that during the evaluation process, the Academic Policy Committee will have the opportunity to provide written information on the performance of the administrator, including the administrator's performance in meeting obligations set forth in school board policy and the charter school contract.

The district's evaluation of the charter school principal does not preclude additional assessment by the Academic Policy Committee regarding the professional performance of the principal. Any additional assessment should be arranged between the Academic Policy Committee and the principal.

Any members of charter school staff (classified or certified) who serve on the Academic Policy Committee shall recuse themselves from any votes, discussions, or other Academic Policy Committee proceedings pertaining to the principal's salary, contract, evaluation, and termination.

A copy of any additional assessment conducted by the Academic Policy Committee will be provided by the Academic Policy Committee to the district upon request.

Head Teacher Evaluation

If the charter school administrator performs both administrative and teaching functions, the procedures for evaluation shall be those for a principal/administrator identified above. However, the district administration will determine an appropriate evaluation instrument that must be used for accurate evaluation of both teaching and administrative duties based on district performance standards.

Confidentiality of Evaluations

The Academic Policy Committee is neither responsible nor authorized to take personnel actions with respect to any employee other than the Charter School principal/head teacher. Before receiving any information that is confidential under law or contract, each member of the Academic Policy Committee must sign a confidentiality agreement acknowledging and agreeing to abide by that confidentiality.

Certificated teacher evaluations are confidential and may not be publicly disclosed, including disclosure to members of the Academic Policy Committee, absent a written waiver signed and dated by the employee.

CHARTER SCHOOL PRINCIPAL AND HEAD TEACHER EVALUATION AR 10050

The Charter School principal/head teacher's evaluation conducted by the district may not be publicly disclosed without the written permission of the principal/head teacher but may be shared with the Academic Policy Committee without a waiver.

Legal Reference:

Alaska Statutes

14.03.270(c) – Teacher or employee transfers, evaluations, and negotiated agreements.

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MEETINGS

BP 10060

All meetings of the Academic Policy Committee (APC) shall comply with Alaska's Open Meetings Act. The Academic Policy Committee shall provide public notice of its meetings and allow for public participation at its meetings.

The Principal/Head Teacher or designee shall establish regulations to ensure compliance with law.

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REVIEW OF THE CHARTER SCHOOL

BP 10070

Once approved by both the School Board and the State Board of Education, the charter school will be subject to an annual review of its operations and finances by the School Board. Annually, the charter school will submit a written report and make a presentation to the School Board and the public. This report will include information on the attainment of student performance expectations, meetings of the governing bodies of the charter school, descriptions of charter school activities, and other information of interest to the School Board.

If academic performance targets for student achievement are not reached by the identified timelines specified in the contract, the Academic Policy Committee must submit a Plan for Improvement, outlining activities for remediation, a process for monitoring the progress of the Plan, and a process for reporting progress of the Plan to the School Board.

If any allegations of noncompliance with the charter school contract are presented either during the annual review or at any other time, then the School Board, through the Superintendent or designee, shall investigate these allegations. Prior to terminating the charter school contract, the School Board and the charter school Academic Policy Committee shall attempt to remedy any violations of the contract. The School Board shall provide written notice to the charter school Academic Policy Committee of its intent to terminate the contract and the reasons therefore.

The Department of Education and Early Development may audit the charter school's program and may take any action necessary to ensure compliance with federal and state law, including the withholding of funding.

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CHARTER SCHOOL ANNUAL REVIEW

AR 10070

Written Report:

Annually, the charter school will submit a written report to the district and the School Board no later than May 1 of each school year. The report will include:

1. A cover letter, including:
 - name of the charter school,
 - school year/annual report title, and
 - name(s) of person(s) responsible for report,
 - Vision and Mission statements and strategic plan goal areas.
2. Student achievement assessment results, including:
 - recommendations for remediation of poor student performance, and
 - school goal attainment;
3. Student enrollment and mobility data;
4. Descriptions of charter school activities;
5. Data on the meetings of the governing bodies of the charter school, including:
 - a list of the Academic Policy Committee meetings, including officers, and staff members by position,
 - minutes of the meetings,
 - current bylaws of the Academic Policy Committee,
 - a list of employees and job titles, and
 - a list of officers in any PTA/PTO or other parent organization;
6. Any major changes planned for the following school year including:
 - changes to the contract between the charter school and the district, and
 - modifications to the school's charter; and
7. Other information of interest to the school board and/or the school district administration.

Presentation to School Board:

Annually the charter school may make a presentation to the school board and the public. If presentations are requested by the board, they will be scheduled on a board meeting agenda in the spring of each year. Written reports will be received by the district prior to the charter school's presentation to the school board. Presentations will include student achievement results, highlights of the year, and changes being requested to the contract or charter.

CHARTER SCHOOL ANNUAL REVIEW

AR 10070

The school board will act on the charter school's contract renewal (including changes to the contract language and estimated budget) as required following the school's written report and presentation (if applicable).

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AMENDMENT OF CHARTER AND TERMINATION OF CONTRACT

BP 10080

A charter school may apply to the School Board for an amendment to its charter during the term of its contract. If the School Board approves the amendment, an amended contract must be executed to conform to the amended charter. The School Board must forward an amended charter and amended contract to the Department of Education and Early Development. A charter school may make minor changes to its program without review by the Department, if they are approved by the district. A change of program that involves the addition of an elementary or secondary program must be approved by the School Board and the State Board of Education and Early Development.

When the charter school updates their vision and mission statements or the strategic plan the Academic Policy Committee shall send this information to the School Board.

The School Board may terminate a contract with a charter school pursuant to the causes set forth in AS 14.03.256.

Legal Reference:

Alaska Statutes

14.03.256 Charter school termination

Alaska Administrative Code

4 AAC 33.113 Amendment of Charter

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COMMUNICATION

BP 10090

Charter schools are an integral part of the District. Open communication between the charter school and the district is essential to the effective functioning of each.

The District shall:

1. respond in a timely manner to requests for information from the charter school.
2. develop materials such as calendars, time lines, or forms to assist charter schools in meeting district deadlines and reports.
3. invite charter school employees to participate in district sponsored professional development workshops and programs.
4. Designate a contact person as the primary contact person between the charter school and the district administration.

The Charter School shall:

1. respond in a timely manner to requests for information from the district.
2. designate a contact person as the primary contact between the charter school and the district administration.

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