

## **BP 10000 (a) CONCEPTS AND ROLES**

Charter schools are schools established under AS 14.03.250 and operate within the public school district. Charter schools are established upon the approval by the local School Board and the State Board of Education through an application process. Charter schools shall operate under a written contract between the charter school and the local 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 and issue a response in writing within 60 days of receipt of the application, including relevant findings of fact and conclusions of law regarding the decision.
3. Provide an annual program budget based on student enrollment.
4. Require that the Academic Policy Committee supports the mission and strategic plan goals of the District, through Committee resolution.

### **Role of the Superintendent**

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

To guide these efforts, the 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 Board. Employees are required to follow all board policies, state, and federal law, as appropriate to their role.

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

"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 with a Principal Endorsement. However, if a Type B certificate is not possessed, the individual may not conduct certificated employee evaluations. The District assumes no responsibility for employing this person after the termination of the charter school contract unless the person previously held tenure as a teacher in the District or gained tenure with assigned to the charter school.

"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.

## **BP 10000 (b) CONCEPTS AND ROLES**

*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*

*AASB Created: 6/25*

*CSD ADOPTED: xxxxxx*

DRAFT

## BP 10010 ESTABLISHMENT OF CHARTER SCHOOLS

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 to meet its goals.

The Board desires to support innovations which improve student learning and views charter schools as one 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 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](#). Initial charter school applications and renewals maybe submitted at any time to the Board; however they must be received by the 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 of the Superintendent and comment prior to the Board's review. A charter school shall begin operation as agreed with the 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*

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*

DRAFT

## **AR 10010 ESTABLISHMENT OF CHARTER SCHOOLS**

A District charter school may organize as a non-profit corporation pursuant to the Alaska Non-profit Corporations Act ([AS 10.20.005](#)). Organization as a non-profit corporation shall not affect the charter school's status as a public school in the District.

A charter school organized as a non-profit 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 or transferred to the District.

Prior to application as a non-profit corporation, the Academic Policy Committee shall meet with the Superintendent to discuss the committee's intent to organize, as such. The application shall be subject to review by the Superintendent prior to its submission to the state.

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*

DRAFT

## BP 10020 CHARTER SCHOOL APPLICATION

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 Board 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 develop bylaws and prepare the application with all the required information, including a proposed contract between the school and the Board.
3. The contract between the charter school and the 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 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 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 Board. The Board and the charter school representatives may negotiate provisions of the contract during this meeting.
5. Following the work session, the Board shall place the charter school proposal on the agenda for a regularly held or special Board meeting. A public hearing may be held prior to the approval or denial of the charter school application. The Board will take action to approve or deny the request to establish the charter school.
6. Upon approval of a charter school application, the Board will submit to the State Board of Education a copy of the charter school application and a summary of the action taken by the Board not later than 30 working days following the Board's action, in accordance with [4 AAC 33.110\(b\)](#).

*(cf. E 10020 - Sample Bylaws)*

*Legal Reference:*

*Alaska Statutes*  
*14.03.250-14.03.280 Charter Schools*

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*



**INITIAL  
Charter School  
APPLICATION  
for**

**[Enter School Name]**

**FY [YYYY]**

Alaska Department of Education & Early Development  
P.O. Box 110500  
Juneau, AK 99811-0500

## DIRECTIONS

### Application for an Initial Charter

Parties interested in submitting an initial application for a charter school should familiarize themselves with all applicable state statutes and regulations contained within this document.

Local School Districts/School Boards may have developed a Charter Schools application form for approval at the local level that requires additional information, however for the purposes of seeking State Board of Education & Early Development approval, **this application form MUST be used.** Sufficient evidence must be presented to address all sections of this application form for the department to deem the application compliant and forward to the State Board of Education for approval.

#### Timeline:

Initial applicants must follow all local procedures to seek Charter School approval by their local boards.

Not later than 30 days after a local school board's decision to approve an initial application for a charter school, the local school board must forward the application to the State Board of Education & Early Development for review and approval by mailing to the department:

- (1) the complete application filed with the local school board, including all supporting documents required;
- (2) the written decision of the local school board;
- (3) all other materials considered by the local school board in support or in opposition to the application; and
- (4) the minutes of the local school board meeting at which the charter was approved.

In the event the local school district/local board has a separate application form that differs from the state required form, **it is the responsibility of the Charter School to transfer complete responses to the department form.**

**Once the application form is completed, please submit an electronic copy via email to Don Enoch at [donald.enoch@alaska.gov](mailto:donald.enoch@alaska.gov)**

An initial application approved by a local school board and submitted to the department **must be received by the department at least 90 days** before the next regularly scheduled meeting of the State Board of Education and Early Development. See the [State Board schedule](http://education.alaska.gov/State_Board) (education.alaska.gov/State\_Board) for a list of upcoming Board meetings.

An initial application for a charter school approved by a local school board may not be submitted to the department more than 12 months before the planned start-up date for the new school.

#### Required Format:

1. Not more than 200 pages single-sided, *unbound*, in 12 point font.
2. ALL pages numbered in consecutive order (i.e. 1, 2, 3, ...200).
3. A table of contents.
4. Follow in numerical order the numbered sections and sub-elements of the application.
5. ALL numbered sections and sub-elements must be addressed.

Upon receipt, the application will go through a technical review committee to determine if any additional information is necessary. Addressing each section with sufficient detail and evidence examples will decrease the likelihood of additional information being requested.

Once the technical review committee agrees the applicant has demonstrated compliance, the application will be scheduled to be addressed by the State Board of Education & Early Development at their next meeting.

## Charter School Application – Initial

Please provide **narrative** responses to the following areas. If referencing evidence within a document that is included as an appendix, please also provide sufficient detail in the narrative response for review purposes.

### Section 1: Establishment of the Charter at the local level

- i. Provide the primary purpose of the charter, how it will specifically differ from other educational options available in the community and the student population the charter hopes to attract. *AS 14.03.265(a)(1-3)*
- ii. Provide evidence of the local school board approval of the new charter school marked as Appendix A. *AS 14.03.250(b)*
- iii. Provide evidence of the signed contract between the new charter school and the local school board containing all required elements marked as Appendix B. *AS 14.03.255(c)(1-14)*
- iv. Provide the charter schools' bylaws marked as Appendix C. *4 AAC 33.110(a)(4)*
- v. Provide evidence of the formation of an Academic Policy Committee (APC) consisting of parents of students attending the school, teachers, and school employees. Evidence includes a list of the members of the APC and their qualifications, as well as the written minutes from meetings where discussions regarding academic policies, bylaws, school administration, and school educational programming occurred. Mark as Appendix D. *AS 14.03.250(a), 4 AAC 33.110(a)(1)*

References: AS 14.03.250. Application for charter school, AS 14.03.255 Organization and operation of a charter school, AS 14.03.265 Admission, 4 AAC 33.110 Charter school application and review procedure.

Use the reviewer rating template below to fill in the page numbers to depict the location of the responses for each sub-element. Do not use the reviewer's notes column.

Reviewer Rating Template		
Section 1	Page Number location(s) of response(s) including Appendices	Reviewer's notes Rating: Compliant/Noncompliant
Purpose		
Evidence of board approval		
Evidence of signed contract with all required elements	See required element below (items 1-14)	
1. Description of educational program		
2. Specific levels of achievement for the education program		
3. Admissions Policy and Procedures		
4. Administrative Policies		
5. Statement of Charter funding		
6. Method of accountability for receipts and expenditures		
7. Location and description of facility		



Section 1	Page Number location(s) of response(s) including Appendices	Reviewer's notes Rating: Compliant/Noncompliant
8. Name of teachers who by agreement will teach in the charter		
9. Teacher to student ratio		
10. Number of students to be served		
11. Term of contract (not to exceed 10 years)		
12. Termination Clause		
13. Statement of state and federal law compliance		
14. Exemptions or requirements included in contract		
15. Evidence of bylaws		
16. Evidence of APC, including list of names/qualifications, meeting minutes		

## Section 2: Organization and Administration

- i. Provide information on how the charter school shall oversee the operation of the charter school to ensure that the terms of the contract required by AS 14.03.255 (c) are being met; including who will be responsible and what mechanism(s) they will use. *AS 14.03.255(b)(2)*
- ii. Provide the written administrative policy manual utilized by the charter marked as Appendix E. *4 AAC 33.110(a)(13)*
- iii. Provide information on how the charter school will meet regularly with parents and with teachers of the charter school to review, evaluate, and improve operations of the charter school; including who will be responsible, what mechanism(s) they will use and how often contact(s) will take place. *AS 14.03.255(b)(3)*
- iv. Provide information on how the charter school will meet the requirements of conferring with the academic policy committee at least once each year to monitor progress in achieving the committee's policies and goals; including who will be responsible, what mechanism(s) they will use and if contact(s) will take place more frequently than once a year. *AS 14.03.255(b)(4)*
- v. Provide a description of the school schedule and calendar. *4 AAC 33.110(a)(9)*
- vi. If applicable: Provide information on alternative educational options for students not wishing to attend the charter if the charter school is the only school in the community. *4 AAC 33.110(a)(12)*

References: AS 14.03.255. Organization and operation of a charter school, 4 AAC 33.110 Charter school application and review procedure.

Use the reviewer rating template below to fill in the page numbers to depict the location of the responses for each sub-element. Do not use the reviewer's notes column.

### Reviewer Rating Template

Section 2	Page Number location(s) of response(s) including Appendices	Reviewer's notes Rating: Compliant/Noncompliant
1. Description of administrative oversight		
2. Evidence of written administrative policy manual		
3. Description of regular parent and teacher contacts for continuous improvement		
4. Description of APC meeting(s) to monitor progress		
5. Description of school schedule and calendar		
6. Alternative options for students if no other educational program exists	May be "not applicable"	

### Section 3: Educational Program and Student Achievement

- i. Provide a description of the educational program to be offered at the charter school. Information in this section should explicitly detail if the program is designed to meet the needs of students in a particular age group or grade level and/or meet the needs of students who will benefit from a particular teaching method or curriculum. *AS 14.03.255(c)(1), AS 14.03.265(a)(1-3), 4 AAC 33.110(a)(5)*
- ii. Provide a written plan that addresses the teacher-to-student ratio, including projected enrollment figures. *4 AAC 33.110(a)(16)*
- iii. Provide evidence of a written instructional program that addresses state content standards under 4 AAC 04 and aligns with the content on the statewide assessment system under 4 AAC 06.710-4 AAC 06.790 marked as Appendix F. *4 AAC 33.110(a)(6)*
- iv. Provide a description of plans for serving special education, vocational education, gifted, and bilingual students. *4 AAC 33.110(a)(10)*
- v. Provide written objectives for program achievement desired by the charter. *4 AAC 33.110(a)(7)*
- vi. Provide a description of the mechanisms for student assessment to be utilized in addition to those required by state law. *4 AAC 33.110(a)(5)*

References: AS 14.03.255. Organization and operation of a charter school, AS 14.03.265 Admission, 4 AAC 33.110 Charter School application and review procedure.

Use the reviewer rating template below to fill in the page numbers to depict the location of the responses for each sub-element. Do not use the reviewer's notes column.

#### Reviewer Rating Template

Section 3	Page Number location(s) of response(s) including Appendices	Reviewer's notes Rating: Compliant/Noncompliant
1. Description of educational program		
2. Evidence of written instructional program that addressees content standards and aligns with statewide assessment system		
3. Evidence of written plan to address PTR and projected enrollment		
4. Description of plans for serving special education, vocational education, gifted and bilingual students		
5. Evidence of written objectives for program achievement		
6. Description of the mechanisms for student assessment in addition to those required by state law		

#### Section 4: Professional Development

i. Provide a description of and schedule for staff development activities. *4 AAC 33.110(a)(8)*

References: 4 AAC 33.110 Charter School application and review procedure.

Use the reviewer rating template below to fill in the page numbers to depict the location of the responses for each sub-element. Do not use the reviewer's notes column.

#### Reviewer Rating Template

Section 4	Page Number location(s) of response(s) including Appendices	Reviewer's notes Rating: Compliant/Noncompliant
1. Description of and schedule for planned professional development		

#### Section 5: Facility

i. Provide information on the location for the charter school, description of the facility and lease information. Information in this section should include a description of the process used by the school and district to comply with the right of first refusal for a lease of space in an existing school district facility or in a facility within the school district that is not currently being used as a public school. *AS 14.03.255(c)(7)(d), 4 AAC 33.110(a)(15)*

ii. Describe the plans for the charter school's facility and any plans for projected growth. *4 AAC 33.110(a)(15)*

References: AS 14.03.255. Organization and operation of a charter school, 4 AAC 33.110 Charter School application and review procedure.

Use the reviewer rating template below to fill in the page numbers to depict the location of the responses for each sub-element. Do not use the reviewer's notes column.

Reviewer Rating Template		
Section 5	Page Number location(s) of response(s) including Appendices	Reviewer's notes Rating: Compliant/Noncompliant
1. Description of facility and location of the charter school including addressing district leased space if applicable		
2. Evidence of a written facility plans		

## Section 6: Admission

- i. Provide the written admission policies and procedures utilized by the charter. Please include evidence that the school is ensuring an equal and bias-free access to all eligible students. Mark as Appendix G. *AS 14.03.255(c)(3), 4 AAC 33.110(a)(11)*
- ii. Provide a written student recruitment process, including a lottery or random drawing mechanism for enrollment if applicants exceed the school's capacity. Mark as Appendix H. *AS 14.03.265(b) Admission, 4 AAC 33.110(a)(17)*

References: AS 14.03.255 Organization and operation of a charter school, AS 14.02.265 Admission, 4 AAC 33.110 Charter School application and review procedure.

Use the reviewer rating template below to fill in the page numbers to depict the location of the responses for each sub-element. Do not use the reviewer's notes column.

Reviewer Rating Template		
Section 6	Page Number location(s) of response(s) including Appendices	Reviewer's notes Rating: Compliant/Noncompliant
1. Evidence of written admission policies and procedures		
2. Evidence of a written student recruitment process, including plans if applicants exceed capacity		

## Section 7: Fiscal

- i. Provide a written budget summary and financial plan, including a statement of the charter school's funding allocation from the local school board and costs assignable to the charter school program budget. Information in this section should explicitly detail the amount and sources of the revenue streams; the specific indirect rate (not to exceed 4%) and details of what the indirect rate charges cover; as well as the charter's eligibility to receive additional revenue over the 2.65 mills required in the foundation formula. Projected budget marked as Appendix I. *AS 14.03.255(c)(5), 4 AAC 33.110(a)(14)(A)*
- ii. Provide information on how the charter school will keep financial records, including who will be responsible, what mechanism(s) they will use and how often financial oversight will take place. *AS 14.03.255(b)(1)*
- iii. Provide a description of the method by which the charter school will account for receipts and expenditures. *AS 14.03.255(b)(1)(c)(6), 4 AAC 33.110(a)(14)(B)*

References: AS 14.03.255. Organization and operation of a charter school, 4 AAC 33.110 Charter School application and review procedure

Use the reviewer rating template below to fill in the page numbers to depict the location of the responses for each sub-element. Do not use the reviewer's notes column.

Reviewer Rating Template		
Section 7	Page Number location(s) of response(s) including Appendices	Reviewer's notes Rating: Compliant/Noncompliant
1. Written budget summary and financial plan		
2. Description of how financial records will be kept		
3. Description of accountability for receipts and expenditures		

## Section 8: Transportation

- i. Provide a plan for pupil transportation and the district charter school transportation policy, if proposed or adopted, marked as Appendix J. *4 AS 14.09.010 (e)(1-3)(f)(g), AAC 33.110(a)(19)*

References: AS 14.09.010 (e)(1-3)(f)(g) Transportation, 4 AAC 33.110 Charter School application and review procedure, 4 AAC 27.057 Charter School Transportation policy.

Use the reviewer rating template below to fill in the page numbers to depict the location of the responses for each sub-element. Do not use the reviewer's notes column.

Reviewer Rating Template		
Section 8	Page Number location(s) of response(s) including Appendices	Reviewer's notes Rating: Compliant/Noncompliant
1. Plans for pupil transportation		

**Sec. 14.03.250. Application for charter school.**

(a) A local school board shall prescribe an application procedure for the establishment of a charter school in that school district. The application procedure must include provisions for an academic policy committee consisting of parents of students attending the school, teachers, and school employees and a proposed form for a contract between a charter school and the local school board, setting out the contract elements required under AS 14.03.255(c).

(b) A decision of a local school board approving or denying an application for a charter school must be in writing, must be issued within 60 days after the application, and must include all relevant findings of fact and conclusions of law.

(c) If a local school board approves an application for a charter school, the local school board shall forward the application to the State Board of Education and Early Development for review and approval.

(d) If a local school board denies an application for a charter school, the applicant may appeal the denial to the commissioner. The appeal to the commissioner shall be filed not later than 60 days after the local school board issues its written decision of denial. The commissioner shall review the local school board's decision to determine whether the findings of fact are supported by substantial evidence and whether the decision is contrary to law. A decision of the commissioner upholding the denial by the local school board may be appealed within 30 days to the State Board of Education and Early Development.

(e) If the commissioner approves a charter school application, the commissioner shall forward the application to the State Board of Education and Early Development for review and approval. The application shall be forwarded not later than 30 days after the commissioner issues a written decision. The State Board of Education and Early Development shall exercise independent judgment in evaluating the application.

(f) A local school board that denied an application for a charter school approved by the state board on appeal shall operate the charter school as provided in AS 14.03.255 - 14.03.290.

[This statute applies to charter school applications filed with a local school board on or after July 1, 2014.]

**Sec. 14.03.253. Charter school application appeal.**

(a) In an appeal to the commissioner under AS 14.03.250, the commissioner shall review the record before the local school board. The commissioner may request written supplementation of the record from the applicant or the local school board. The commissioner may

(1) remand the appeal to the local school board for further review;

(2) approve the charter school application and forward the application to the State Board of Education and Early Development with or without added conditions; or

(3) uphold the decision denying the charter school application; if the commissioner upholds a local school board's decision to deny a charter school application and the applicant appeals to the State Board of Education and Early Development, the commissioner shall immediately forward the application and record to the State Board of Education and Early Development.

(b) In an appeal to the State Board of Education and Early Development of a denial of a charter school application under (a)(3) of this section, the state board shall determine, based on the record, whether the commissioner's findings are supported by substantial evidence and whether the decision is contrary to law. The state board shall issue a written decision within 90 days after an appeal.

[This statute applies to charter school applications filed with a local school board on or after July 1, 2014.]

**Sec. 14.03.255. Organization and operation of a charter school.**

(a) A charter school operates as a school in the local school district except that the charter school (1) is exempt from the local school district's textbook, program, curriculum, and scheduling requirements; (2) is exempt from AS 14.14.130(c); the principal of the charter school shall be selected by the academic policy committee and shall select, appoint, or otherwise supervise employees of the charter school; and (3) operates under the charter school's annual program budget as set out in the contract between the local school board and the charter school under (c) of this section. A local school board may exempt a charter school from other local school district requirements if the exemption is set out in the contract. A charter school is subject to tests required by the department.

(b) 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 required by (c) of this section 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.

(c) A charter school shall operate under a contract between the charter school and the local school board. A contract must contain the following provisions:

- (1) a description of the educational program;
- (2) specific levels of achievement for the education program;
- (3) admission policies and procedures;
- (4) administrative policies;
- (5) a statement of the charter school's funding allocation from the local school board and costs assignable to the charter school program budget;
- (6) the method by which the charter school will account for receipts and expenditures;
- (7) the location and description of the facility;
- (8) the name of the teacher, or teachers, who, by agreement between the charter school and the teacher, will teach in the charter school;
- (9) the teacher-to-student ratio;
- (10) the number of students served;
- (11) the term of the contract, not to exceed a term of 10 years;
- (12) a termination clause providing that the contract may be terminated by the local school board for the failure of the charter school to meet educational achievement goals or fiscal management standards, or for other good cause;
- (13) a statement that the charter school will comply with all state and federal requirements for receipt and use of public money;

(14) other requirements or exemptions agreed upon by the charter school and the local school board.

(d) A school district shall offer to a charter school the right of first refusal for a lease of space in an existing school district facility or in a facility within the school district that is not currently being used as a public school, if the chief school administrator determines the facility meets requirements for health and safety applicable to public buildings or other public schools in the district. If the school district requires lease payments by a charter school, the school district shall negotiate a lease agreement with the charter school for an amount that does not exceed the true operational costs calculated on a square foot basis for space leased under this subsection.

#### **Sec. 14.03.260. Funding for charter school.**

(a) A local school board shall provide an approved charter school with an annual program budget. The budget shall be not less than the amount generated by the students enrolled in the charter school less administrative costs retained by the local school district, determined by applying the indirect cost rate approved by the department up to four percent. Costs directly related to charter school facilities, including rent, utilities, and maintenance, may not be included in an annual program budget for the purposes of calculating the four percent cap on administrative costs under this subsection. A local school board shall provide a charter school with a report itemizing the administrative costs retained by the local school board under this section. The "amount generated by students enrolled in the charter school" is to be determined in the same manner as it would be for a student enrolled in another public school in that school district and includes funds generated by grants, appropriations, federal impact aid, the required local contribution, the local contribution under AS 14.17.410(c), special needs under AS 14.17.420(a)(1), and secondary school vocational and technical instruction under AS 14.17.420(a)(3). A school district shall direct state aid under AS 14.11 for the construction or major maintenance of a charter school facility to the charter school that generated the state aid, subject to the same terms and conditions that apply to state aid under AS 14.11 for construction or major maintenance of a school facility that is not a charter school.

(b) The program budget of a charter school is to be used for operating expenses of the educational program of the charter school, including purchasing textbooks, classroom materials, and instructional aids.

(c) The charter school shall provide the financial and accounting information requested by the local school board or the Department of Education and Early Development and shall cooperate with the local school district or the department in complying with the requirements of AS 14.17.910.

(d) The expenses of housing nonresident students who attend the charter school, including room, board, and other reasonable housing expenses, may not be paid for with state money but may be paid for with funds contributed by sources other than the state.

***Sec. 14.03.263. Charter school grant program. [Repealed, Sec. 1 ch 100 SLA 2003].***

Repealed or Renumbered

**Sec. 14.03.264. Charter school grant program.**

(a) A charter school that is established on or after the effective date of this section may receive a one-time grant from the department equal to the amount of \$500 for each student enrolled in the school on October 1 of the first year in which the school applies for the grant. The charter school shall use a grant received under this section to provide educational services. In this subsection, "educational services" includes curriculum development, program development, and special education services.

(b) The department shall establish by regulation procedures for the application for and expenditure of grant funds under (a) of this section.

(c) If the amount appropriated in a fiscal year for the charter school grant program is insufficient to meet the amounts authorized under (a) of this section, the department shall reduce pro rata the per pupil grant amount by the necessary percentage as determined by the department. If a charter school grant is reduced under this subsection, the charter school may apply to the department in a subsequent fiscal year for the balance of the grant amount.

**Sec. 14.03.265. Admission.**

(a) The program of a charter school may be designed to serve

(1) students within an age group or grade level;

(2) students who will benefit from a particular teaching method or curriculum; or

(3) nonresident students, including providing domiciliary services for students who need those services, if approved by the board.

(b) A charter school shall enroll all eligible students who submit a timely application, unless the number of those applications exceeds the capacity of the program, class, grade level, or building. In the event of an excess of those applications, the charter school and the local school board shall attempt to accommodate all of those applicants by considering providing additional classroom space and assigning additional teachers from the district to the charter school. If it is not possible to accommodate all eligible students who submit a timely application, students shall be accepted by random drawing. A school board may not require a student to attend a charter school.

(c) In addition to other requirements of law, a charter school shall be nonsectarian.

**Sec. 14.03.270. Teacher or employee transfers, evaluations, and negotiated agreements.**

(a) A teacher or employee may not be assigned to a charter school unless the teacher or employee consents to the assignment.

(b) All provisions of an existing negotiated agreement or collective bargaining agreement applicable to a teacher or employee of a district apply to that teacher or employee if employed at a charter school in that district, unless the district and the bargaining unit representing the teacher or employee agree to an exemption.

(c) A teacher in a charter school shall be evaluated in an equivalent manner as all other teachers in the district, except that if there is no administrator assigned to the charter school, the local school board, with the agreement of the charter school, shall designate a school district administrator in that district to evaluate a teacher in a charter school.

**Sec. 14.03.275. Contracts; duration.**

A contract for a charter school may be for a term of no more than 10 years.

**Sec. 14.03.280. Regulations.**

The State Board of Education and Early Development may adopt regulations under AS 44.62 (Administrative Procedure Act) necessary to implement AS 14.03.250 - 14.03.290.

**Sec. 14.03.290. Definitions.** In AS 14.03.250 - 14.03.290,

(1) "academic policy committee" means the group designated to supervise the academic operation of a charter school and to ensure the fulfillment of the mission of a charter school;

(2) "charter school" means a school established under AS 14.03.250 - 14.03.290 that operates within a public school district;

(3) "local school board" means a borough or city school board or a school board of a regional educational attendance area;

(4) "parent" means a biological, adoptive, or foster parent, or an adult who acts as guardian of a child and makes decisions related to the child's safety, education, and welfare;



(5) "teacher" means a person who serves a school district in a teaching, counseling, or administrative capacity and is required to be certificated in order to hold the position.

#### **Sec. 14.07.165 Duties.**

The [State Board of Education and Early Development] shall adopt

(4) regulations requiring approval by the board before a charter school, state boarding school, or a public school may provide domiciliary services.

**Sec. AS 14.09.010** is amended by adding new subsections to read:

(e) A school district that provides transportation services under this section shall provide transportation services to students attending a charter school operated by the district under a policy adopted by the district. The policy must:

(1) be developed with input solicited from individuals involved with the charter school, including staff, students, and parents;

(2) at a minimum, provide transportation services for students enrolled in the charter school on a space available basis along the regular routes that the students attending schools in an attendance area in the district are transported; and

(3) be approved by the department.

(f) If a school district fails to adopt a policy under (e) of this section, the school district shall allocate the amount received for each student under (a) of this section to each charter school operated by the district based on the number of students enrolled in the charter school.

(g) Nothing in (e) of this section requires a school district to establish dedicated transportation routes for the exclusive use of students enrolled in a charter school or authorizes a charter school to opt out of a policy adopted by a school district for the purpose of acquiring transportation funding.

**Sec. AS 14.17.450(d)** is amended to read:

(d) If a charter school has a student count of at least 75 but less than 150 for the current year and is in the first three years of operation or had a student count of at least 75 in the previous year of operation,

(1) the adjusted student count for the school shall be calculated by multiplying the student count by the student rate for a school that has a student count of 150; and

(2) not later than February 15, the charter school shall submit for approval of the governing board of the district a plan for the following school year that includes a statement about whether the school will continue to operate if the student count remains the same that year and, if so, a projection of the funding anticipated from the state and other sources, a proposed budget, and a description of anticipated changes to the school staff, program, and curriculum; if the school intends to close if the student count remains the same the following year, the plan must describe transfer plans for students, staff, facilities, and materials.

#### **Alaska State Charter Schools Regulations**

4 AAC 27 is amended by adding a new section to read:

##### **4 AAC 27.057. Charter school transportation policy.**

(a) A local school board shall adopt a charter school transportation policy that describes the transportation services that will be provided by the district to students attending a charter school operated by the district if

(1) a district provides transportation services under AS 14.09.010; and

(2) the district operates a charter school or an application for the establishment of a charter school in the district is pending with the district under AS 14.03.250.

(b) A district must submit to the department an application for approval of its charter school transportation policy on a form provided by the department

(1) not later than April 15, 2015, if a charter school is in operation in the district on July 1, 2014; or

(2) not later than 30 days after approval of a charter school by a local school board, if a charter school is approved by a local school board after July 1, 2014, and a charter school transportation policy approved by the department is not in effect in the district.

(c) The application to the department must include:

(1) evidence that the charter school transportation policy was developed in compliance with AS 14.09.010(e)(1); and

(2) the charter school transportation policy adopted by the local school board that provides transportation service for charter school students in compliance with AS 14.09.010(e)(2); and

(3) other documents or information the department needs to evaluate a charter school transportation policy adopted by a local school board.

(d) Not later than 60 days after receipt by the department of an application for approval of a charter school transportation policy, the department will grant approval for a charter school transportation policy if the charter school transportation meets the requirements of AS 14.09.010 and this section.

(e) If a district seeks to amend an approved charter school transportation policy, it must submit an application for approval of an amendment of the charter school transportation policy on a form provided by the department not later than April 15 of the fiscal year prior to the fiscal year when the proposed amendment will take effect. An application for approval of an amendment of a charter school transportation policy must meet the requirements of (c) of this section.

(f) Not later than 60 days after receipt by the department of an application for approval of an amendment of a charter school transportation policy, the department will grant approval for the amendment of a charter school transportation policy if the amendment meets the requirements of AS 14.09.010 and this section. (Eff. 4/8/2015, Register 214)

**Authority:** AS 14.07.020 AS 14.07.060 AS 14.09.010

4 AAC 33.110 is repealed and readopted to read:

**4 AAC 33.110. Charter school application and review procedure.**

(a) The application procedure required by AS 14.03.250(a) for the establishment of an initial or renewed charter for a charter school must be in writing and must be available upon request at the school district's central office. The local school board must require an applicant to submit sufficient information so that the local school board may conduct a thorough review of the proposed charter school. An application must conform to the content areas and formatting standards set out at the [department's Charter School webpage](http://education.alaska.gov/Alaskan_Schools/Charter) at: [education.alaska.gov/Alaskan\\_Schools/Charter](http://education.alaska.gov/Alaskan_Schools/Charter).

An application, upon final approval by the State Board of Education and Early Development, will operate as the charter for the school. In addition to the requirements of AS 14.03.250(a), an application must include, at a minimum,

- (1) a list of the members of the academic policy committee and their qualifications;
- (3) the length of the term of the contract required under AS 14.03.255(c);
- (4) the charter school's bylaws;
- (5) a description of the education program to be offered at the charter school and mechanisms for student assessment to be utilized in addition to those required by state law;
- (6) a written instructional program that addresses state content standards under 4 AAC 04 and that aligns with the content on the statewide student assessment system under 4 AAC 06.710 – 4 AAC 06.790;
- (7) written objectives for program achievement;
- (8) a description of and schedule for staff development activities;
- (9) a school schedule and calendar;
- (10) plans for serving special education, vocational education, gifted, and bilingual students;
- (11) written admissions policies and procedures;
- (12) if the charter school is the only school in the community, an alternative option for students not wishing to attend the charter school;
- (13) a written administrative policy manual;
- (14) a written budget summary and financial plan, including
  - (A) a statement of the charter school's funding allocation from the local school board and costs assignable to the charter school program budget; and
  - (B) the method by which the charter school will account for receipts and expenditures;
- (15) a written plan for the charter school's facility;
- (16) a written plan that addresses the teacher-to-student ratio, including projected enrollment figures;
- (17) a written student recruitment process, including a lottery or random drawing mechanism for enrollment if applicants exceed the school's capacity;
- (18) a requested or existing exemption for the charter school from a written collective bargaining contract;
- (19) a plan for pupil transportation and the district charter school transportation policy, if proposed or adopted;
- (20) the written termination clause that must appear in the contract between the charter school and the local school board;
- (21) proof of compliance with applicable law; and
- (22) other documents or information the district needs to evaluate the proposed charter school.

(b) Not later than 30 days after a local school board's decision to approve an initial application or a renewal application for a charter school, the local school board must forward the application to the State Board of Education and Early Development for review and approval under AS 14.03.250(c) by mailing to the department:

- (1) the complete application filed with the local school board, including all supporting documents required by (a) of this section;
- (2) the written decision of the local school board;
- (3) all other materials considered by the local school board in support or in opposition to the application; and
- (4) the minutes of the local school board meeting at which the charter school was approved.

(c) An initial application for a charter school approved by a local school board may not be submitted to the department under subsection (b) more than 12 months before the planned start-up date for the new school. A renewal application for a charter school approved by a local school board may not be submitted to the department under (b) of this section more than 12 months before the expiration of the existing contract.

(d) An initial application and a renewal application approved by a local school board and submitted to the department under (b) of this section must be received by the department at least 90 days before the next regularly scheduled meeting of the State Board of Education and Early Development.

(e) The State Board of Education and Early Development will review an initial application or a renewal application approved by the local school board and submitted to the department under (b) of this section. The State Board of Education and Early Development will consider an initial application or a renewal application in the order in which it is received.

(f) Not later than 60 days after a local school board issues a decision to deny an initial application or a renewal application for a charter school, an applicant may file a notice of appeal to the commissioner under AS 14.03.250(d). In the notice of appeal, the applicant must specify the grounds for its appeal, stating which, if any, finding of fact or conclusion of law in the local school board's decision is alleged to be in error. If the applicant alleges that a finding of fact is in error, the applicant shall specify in the notice of appeal the evidence in the record before the local school board that supports a contrary finding of fact. With the notice of appeal, the applicant must file with the commissioner

(1) the complete application submitted to the local school board, including all supporting documents required by (a) of this section;

(2) the written decision of the local school board;

(3) any other materials considered by the local school board in support or in opposition to the application;

(4) the minutes of the local school board meeting at which the charter school was approved or denied, or if the minutes are not yet available, the date on which the minutes will be available for review by the department; and

(5) within ten working days of receipt of the commissioner's written request for a hearing transcript, a transcript of any recorded testimony presented to the local school board regarding the charter school application.

(g) The commissioner will review an appeal of a local school board decision denying an initial or renewal application for a charter school under AS 14.03.250(d).

(h) If the commissioner upholds the denial of an application, the applicant may file an appeal of the commissioner's decision to the State Board of Education and Early Development within 30 days of the issuance of the commissioner's decision. The commissioner will forward the appeal to the State Board of Education and Early Development immediately for consideration at its next meeting. The State Board of Education and Early Development will issue a decision within 90 days after the filing of an appeal of a commissioner's decision upholding a denial of an application.

(i) If the commissioner approves an initial or renewal application by overturning a denial by the local school board, the commissioner will forward the application and record to the State Board of Education and Early Development not later than thirty days after the commissioner issues a written decision of approval. The State Board of Education and Early Development will consider the application at its next meeting.

(j) The State Board of Education and Early Development will not approve an application that contains insufficient information to determine compliance with applicable law.

(k) A decision of the State Board of Education and Early Development granting or denying approval for a charter school application is a final agency action for purposes of an appeal to the superior court. (Eff. 4/27/96, Register 138; am 3/31/2002, Register 161; am 7/26/2002, Register 163; am 8/6/2004, Register 171; am 4/18/2015, Register 214)

<b>Authority:</b>	AS 14.03.250	AS 14.03.280	AS 14.07.060
	<u><b>AS 14.03.253</b></u>	AS 14.07.020	

4 AAC 33 is amended by adding a new section to read:

**4 AAC 33.113. Amendment of charter.**

A charter school may apply to a local school board for an amendment to its charter during the term of its contract with the local school board. If a local school board approves an amendment to the charter, an amended contract must be executed to conform to the amended charter. The local school board must forward an amended charter and

amended contract to the department. A charter school may make district-approved changes to its program that do not require an amendment to its charter without review by the State Board of Education and Early Development, except that a change of program that involves the addition of an elementary or secondary program must be approved by the local school board and the State Board of Education and Early Development. (Eff. 4/18/2015, Register 214)

**Authority:** AS 14.03.250 AS 14.07.020 AS 14.07.060 AS 14.03.280

4 AAC 33 is amended by adding a new section to read:

**4 AAC 33.115. Operation of charter schools.**

(a) The department may audit the charter school's program during the term of the contract under AS 14.03.255(c) and may take any action necessary to ensure compliance with federal and state law, including the withholding of money under AS 14.07.070. Notwithstanding any provision of a charter or contract, a charter school must comply with state and federal law. A change in state or federal law taking effect during the term of an existing contract or charter will override an inconsistent provision of a contract or charter. (Eff. 4/18/2015, Register 214)

**Authority:** AS 14.03.250 AS 14.03.280 AS 14.07.060  
AS 14.03.255 AS 14.07.020

4 AAC 33 is amended by adding a new section to read:

**4 AAC 33.117. Charter school grant program.**

(a) A charter school that is established on or after July 1, 2014, may apply to the department for one-time grant funding under AS 14.03.264. An applicant charter school must

- (1) apply on a form prescribed by the department;
- (2) provide evidence in its application that demonstrates that grant funding will be used to provide educational services as defined under AS 14.03.264(a); and
- (3) file its application with the department not later than September 15 to receive funding based on student enrollment on October 1 of the same fiscal year.

(b) A charter school that received reduced grant funding in a prior fiscal year as permitted under AS 14.03.264(c) may apply for the balance of the grant amount using the procedures described in (a) of this section.

(c) The department will notify a newly approved charter school of its eligibility for grant funding under AS 14.03.264 promptly after approval of the charter by the state Board of Education and Early Development. (Eff. 4/18/2015, Register 214)

**Authority:** AS 14.03.264 AS 14.07.020 AS 14.07.060

4 AAC 33 is amended by adding a new section to read:

**4 AAC 33.119. Definitions. In 4 AAC 33.110 – 4 AAC 33.119,**

- (1) "charter school" has the meaning given in AS 14.03.290;
- (2) "commissioner" means the commissioner of education and early development;
- (3) "department" means the Department of Education and Early Development;
- (4) "local school board" has the meaning given in AS 14.03.290.

(Eff. 4/27/96, Register 138; am 3/31/2002, Register 161; am 7/26/2002, Register 163; am 8/6/2004, Register 171; am 4/18/2015, Register 214)

**Authority:** AS 14.03.250 AS 14.07.020 AS 14.07.060  
AS 14.03.280

## **BP 10021 CHARTER SCHOOL APPLICATION APPEALS**

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 Board's written 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 consideration.

*Legal Reference:*

*Alaska Statutes*

[14.03.250\(d\)](#) – *Application for charter school*

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*

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## **BP 10030 GENERAL REQUIREMENTS**

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.
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)*

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*

## **AR 10030.1 ORGANIZATION OF A CHARTER SCHOOL**

A charter school operates as a school in the District, except that a charter school:

1. Is exempt from the 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.

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*

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## **AR 10030.2 OPERATION OF A CHARTER SCHOOL**

Academic Policy Committee shall:

1. Keep financial records of the charter school in a manner consistent with District Business Office expectations so as to meet governmental accounting standards and District policies, procedures, and practices;
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 at least once quarterly to monitor progress in achieving the committee's policies and goals.

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*

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## **BP 10040 ACADEMIC POLICY COMMITTEE**

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.

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*

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## AR 10040 ACADEMIC POLICY COMMITTEE: CODE OF ETHICS

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;
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; and
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.

## **BP 10050 PRINCIPAL/HEAD TEACHER**

### **Charter School Principal**

A charter school principal must possess a current Alaska Administrative Certificate and be either a current 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 Regular Administrative Certificate with Principal Endorsement. A head teacher must possess an Alaska Professional Teaching 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.

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*

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## AR 10050 CHARTER SCHOOL PRINCIPAL AND HEAD TEACHER EVALUATION

### 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. Placement on the salary schedule shall be within the District's established salary schedules, including but not limited to, benefits extended to other District principals.

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.

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.*

AASB Created: 6/25

CSD ADOPTED: XXXXXX

## **BP 10060 MEETINGS**

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 congruent with established District practices.

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

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*

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## **BP 10070 REVIEW OF THE CHARTER SCHOOL**

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 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 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 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 Board, through the Superintendent or designee, shall investigate these allegations. Prior to terminating the charter school contract, the Board and the charter school Academic Policy Committee shall attempt to remedy any violations of the contract. The 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.

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*

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## AR 10070 CHARTER SCHOOL ANNUAL REVIEW

### Written Report

Annually, the Academic Policy Committee will submit a written report to the Superintendent and School Board no later than May 1 of each school year. The report will include no less than:

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

### Presentation to School Board

Annually the charter school shall make a presentation to the 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 Board. Presentations will include student achievement results, highlights of the year, and changes being requested to the contract or charter.

The Board will act on the charter school's contract renewal (including changes to the contract language and estimated budget) as required following the Academic Policy Committee's written report and presentation.

*AASB Created: 6/25*

*CSD ADOPTED: XXXXXX*

## **BP 10080 AMENDMENT OF CHARTER AND TERMINATION OF CONTRACT**

A charter school may apply to the School Board for an amendment to its charter during the term of its contract. If the Board approves the amendment, an amended contract must be executed to conform to the amended charter. The 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 Board and the State Board of Education.

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

The Board may terminate a contract with a charter school pursuant to the causes set forth in state law.

*Legal Reference:*

*Alaska Statutes*

*14.03.256* Charter school termination

*Alaska Administrative Code*

*4 AAC 33.113* Amendment of Charter

*AASB Created: 6/25*

*CSD ADOPTED: xxxxxx*

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## **BP 10090 COMMUNICATION**

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, timelines, 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; and
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; and
2. Designate a contact person as the primary contact between the charter school and the District Administration.

*AASB Created: 6/25*

*CSD ADOPTED: xxxx*

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