



**RENEWAL
Charter School
APPLICATION
for**

[Enter School Name]

FY [YYYY]

Alaska Department of Education & Early Development
801 W 10th Street, Suite 200
P.O. Box 110500
Juneau, AK 99811-0500

DIRECTIONS

Application for a Renewal Charter

Parties interested in submitting a renewal 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 renewal 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 renewal application form MUST be used.** Sufficient evidence must be presented to address all sections of this renewal application form for the department to deem the renewal application compliant and forward to the State Board of Education for approval.

Timeline:

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 a renewal application for a charter school, the local school board must forward the renewal application to the State Board of Education & Early Development for review and approval by mailing to the department:

- (1) the complete renewal 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 renewal 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 renewal 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.**

An original and 4 copies of the DEED Charter School Renewal Application Form should be mailed to:

**Alaska Department of Education & Early Development
Attn: Charter School Program Manager
P.O. Box 110500
Juneau, Alaska 99811-0500**

Please also submit via email an electronic copy of the renewal application form to amanda.duvall@alaska.gov

A renewal 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.

A renewal application for a charter school approved by a local school board may not be submitted to the department more than 12 months before the expiration of the existing contract.

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 renewal 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 renewal application will be scheduled to be addressed by the State Board of Education & Early Development at their next meeting.

Charter School Renewal Application

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 and how it specifically differs from other educational options available in the community. Provide a narrative to describe how the charter has changed since the last application. *AS 14.03.265(a)(1-3)*
- ii.* Provide evidence of the local school board approval of the reapplication for the charter school marked as Appendix A. *AS 14.03.250(b)*
- iii.* Provide evidence of the signed contract between the charter school and the local school board containing all required elements under AS 14.03.255(c) marked as Appendix B. *AS 14.03.255(c)(1-14)*
- iv.* Provide either the charter school's bylaws marked as Appendix C or an indication on the signed assurance page that the bylaws previously submitted to the department in the initial application or previous renewal applications have not changed. *4 AAC 33.110(a)(4)*
- v.* Provide evidence of the 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 the charter school met with the academic policy committee to fulfill the requirement of at least once each year monitoring the progress in achieving the committee's policies and goals. Mark as Appendix D. *AS 14.03.250(a), AS 14.03.255(b)(4), 4 AAC 33.110(a)(1)*

References: AS 14.03.250. Application for charter schools, AS 14.03.255(c)(1-14) 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		
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		
Evidence of bylaws or assurance		
Evidence of APC, including list of names/qualifications, meeting minutes		

Section 2: Organization and Administration

- i.* Provide information on how the charter school is administered to ensure that the terms of the contract required by AS 14.03.255 (c) are being met; including who is responsible and what mechanism(s) they use. *AS 14.03.255(b)(2)*
- ii.* Provide the written administrative policy manual utilized by the charter **or** an indication on the signed assurance page that the policy manual submitted to the department in the initial application or previous renewal applications has not changed. Mark as Appendix E. *4 AAC 33.110(a)(13)*
- iii.* Provide evidence that the charter school met regularly with parents and with teachers of the charter school to review, evaluate, and improve operations of the charter school, including any review recommendations. *AS 14.03.255(b)(3)*

- iv. Provide evidence that the charter school met with the APC at least once a year to monitor progress in achieving the committee’s policies and goals. *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
Description of administrative oversight		
Evidence of written administrative policy manual or assurance		
Evidence of regular parent and teacher contacts for continuous improvement		
Evidence of annual APC meeting		
Description of school schedule and calendar		
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 including specific teaching methods that benefit an age group, grade level or specific type of student and examples of curriculum utilized. *AS 14.03.255(c)(1), AS 14.03.265(a)(1-3), 4 AAC 33.110(a)(5)*
- ii.* 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)*
- iii.* Provide a description of plans for serving special education, vocational education, gifted, and bilingual students. *4 AAC 33.110(a)(10)*
- iv.* Provide the written objectives for program achievement desired by the charter. Include information on the progress of the charter to date in reaching the objectives. Include in this section information on ASPI star rating, comparisons of state assessments for the school to district and state averages, as well as student performance by disaggregated groups. Include a synopsis of how students in your school are performing. Also include information on how the charter addresses the needs of students who do not perform at acceptable levels of proficiency. *4 AAC 33.110(a)(7)*
- v.* Provide a description of the mechanisms for student assessment 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
Description of educational program		
Evidence of written instructional program that addresses content standards and aligns with statewide assessment system		

Description of plans for serving special education, vocational education, gifted and bilingual students		
Evidence of written objectives for program achievement, progress on meeting objectives, comparisons of disaggregated assessment data to district and state averages, and plans to address students who do not perform at acceptable levels		
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
Description of and schedule for planned professional development		

Section 5: Facility

- i.* Provide the location for the charter school, description of the facility and lease information. *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
Description of facility and location of the charter school including addressing district leased space if applicable		
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. Please include information in this section describing enrollment and waitlist numbers for the past 3-5 years. Mark as Appendix H. *AS 14.03.265(b), 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
Evidence of written admission policies and procedures		
Evidence of a written student recruitment process, including enrollment and waitlist numbers		

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 a signed assurance that:
 - the charter school follows all district approved practices to account for receipts and expenditures;
 - the charter school has been successful in ending each year with a zero or positive fund balance;
 - all audit reports to date indicate the school has met its obligation to ensure the fiscal integrity of the school's financial operation. *AS 14.03.255(b)(1)(c)(6)*

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 7	Page Number location(s) of response(s) including Appendices	Reviewer's notes Rating: Compliant/Noncompliant
Evidence of a budget plan		
Evidence of assurance		

Section 8: Transportation

- i. Provide the district charter school transportation policy, if proposed or adopted, marked as Appendix J. 4 AAC 33.110(a)(19)

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, AS 14.09.010 Transportation (e)(1-3)(f)(g), 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
Plans for pupil transportation		

Charter Schools Assurance Page

By signing this document, the school district files its assurance that the statements, documents and/or information listed below is in compliance with all state and federal laws and regulations.

The charter school bylaws previously submitted to the department in the initial application or previous renewal applications have not changed. 4 AAC 33.110(a)(4)

The charter school administrative policy manual submitted to the department in the initial application or previous renewal applications has not changed. 4 AAC 33.110(a)(13)

The charter school follows all district approved practices to account for receipts and expenditures. AS 14.03255(b)(1)(c)(6), 4 AAC 33.110(a)(14)(B)

The charter school has been successful in ending each year with a zero or positive fund balance. AS 14.03255(b)(1)

All audit reports to date indicate the charter school has met its obligation to ensure the fiscal integrity of the school's financial operation. AS 14.03255(b)(2)(c)(13)

Name of the School District: _____

Name of the Charter Program: _____

Name of Superintendent: _____

Signature of Superintendent: _____ Date: _____

Alaska State Charter School Statutes

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.

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;
- (2) the length of the term of the contract required under AS 14.03.255(c);
- (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)

Authority: AS 14.03.250 AS 14.03.280 AS 14.07.060
AS 14.03.253 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