

### **AAC 33.110. Charter schools**

(a) A local school board shall prescribe the application procedure described in AS 14.03.250(b). The procedure must be in writing and must be available upon request at the local school board's central office. The local school board shall include each document necessary to conduct a thorough review of the charter school, including

- (1) a copy of the charter;
- (2) a list of the members of the academic policy committee and their qualifications;
- (3) the length of term of the charter;
- (4) the charter school's bylaws;
- (5) education programs to be offered at the charter school, including promotion and graduation requirements;
- (6) a written instructional program that addresses academic standards, including the statewide student assessment system under 4 AAC 06.710 - 4 AAC 06.790;
- (7) written objectives for program achievement, including assessment, staff development activities, and a school schedule and calendar;
- (8) plans for serving special education, vocational education, gifted, and bilingual students;
- (9) written admissions procedures;
- (10) if the charter school is the only school in the community, an alternative option for students not wishing to attend the charter school;
- (11) a written administrative policy manual;
- (12) a written budget summary and financial plan;
- (13) a written plan for the charter school's facility;
- (14) a written plan that addresses the teacher-to-student ratio, including projected enrollment figures;
- (15) a written student recruitment process, including a lottery or random drawing mechanism for enrollment if applicants exceed the school's capacity;

(16) any written collective bargaining contract with teachers or employees;

(17) the written termination clause that must appear in the contract between the charter school and the local school board; and

(18) proof of compliance with applicable law.

(b) Repealed 3/31/2002.

(c) Repealed 3/31/2002.

(d) Repealed 3/31/2002.

(e) Repealed 3/31/2002.

(f) Repealed 3/31/2002.

(g) No later than 20 working days after a local school board's decision to approve or deny an application for a charter school, the local school board shall mail to the commissioner the application and the decision, including the supporting documents required by (a) of this section, and the minutes of the local school board meeting at which the charter school was approved or denied. The State Board of Education and Early Development will not approve an application that contains insufficient information to determine compliance with applicable law.

(h) The State Board of Education and Early Development will review applications for charter schools in the order that they are received under (g) of this section.

(i) The State Board of Education and Early Development will approve an application for a charter school if the

(1) local school board has approved the application; and

(2) application and other information available to the State Board of Education and Early Development demonstrate, to the satisfaction of the State Board of Education and Early Development, that the local school board and the charter school have complied with, and will continue to comply with, state and federal law, including AS 14.03.250 - 14.03.290 and this section.

(j) Repealed 3/31/2002.

(k) A decision of the State Board of Education and Early Development under (i) of this section is a final agency action for purposes of an appeal to the superior court.

(l) The department may audit the charter school's program during the charter period, and may take any action necessary to ensure compliance with federal and state law, including the withholding of money under AS 14.07.070.

(m) Complaints involving the operation of a charter school shall be initially referred to the local school board for investigation. The local school board shall provide any relevant document concerning the complaint to the commissioner upon request.

(n) Repealed 8/6/2004.

(o) In this section,

(1) "charter school" has the meaning given that term 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 that term in AS 14.03.290.

**History: Eff. 4/27/96, Register 138; am 3/31/2002, Register 161; am 7/26/2002, Register 163; am 8/6/2004, Register 171**

**Authority:** AS 14.03.250

AS 14.03.280

AS 14.07.020

AS 14.07.060

**Editor's note:** The address for mailing the application and decision described in 4 AAC 33.110(g) is Commissioner, Department of Education and Early Development, 801 West Tenth Street, Suite 200, Juneau, Alaska 99801-1894.

As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125(b)(6) to reflect the name change of the Department of Education to the Department of Education and Early Development made by ch. 58, SLA 1999, and the corresponding title change of the commissioner of education.