

**CS FOR HOUSE BILL NO. 191(HES)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 4/29/99  
Referred: Finance

Sponsor(s): REPRESENTATIVES DYSON, Kohring, Mulder

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to charter schools; and providing for an effective date."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 14.03.250(a) is amended to read:

4 (a) A charter school may be established as provided under AS 14.03.250 -  
5 14.03.290 upon the approval of the local school board and the state Board of  
6 Education of an application for a charter school. [THE STATE BOARD OF  
7 EDUCATION MAY NOT APPROVE MORE THAN 30 CHARTER SCHOOLS TO  
8 OPERATE IN THE STATE AT ANY ONE TIME AND SHALL APPROVE  
9 CHARTER SCHOOLS IN A GEOGRAPHICALLY BALANCED MANNER  
10 AS FOLLOWS: NOT MORE THAN 10 SCHOOLS IN ANCHORAGE; NOT MORE  
11 THAN FIVE SCHOOLS IN FAIRBANKS; NOT MORE THAN THREE SCHOOLS  
12 IN THE MATANUSKA-SUSITNA BOROUGH; NOT MORE THAN THREE  
13 SCHOOLS IN THE KENAI PENINSULA BOROUGH; NOT MORE THAN TWO  
14 SCHOOLS IN THE CITY AND BOROUGH OF JUNEAU; NOT MORE THAN  
15 SEVEN SCHOOLS LOCATED IN OTHER AREAS OF THE STATE, AND THESE

1 SEVEN SCHOOLS SHALL BE ALLOCATED AS NEARLY AS POSSIBLE IN A  
 2 GEOGRAPHICALLY BALANCED MANNER THROUGHOUT THE REST OF THE  
 3 STATE.]

4 \* **Sec. 2.** AS 14.03.255(a) is amended to read:

5 (a) A charter school operates as a school in the local school district except that  
 6 the charter school (1) is exempt from the local school district's textbook, program,  
 7 curriculum, and scheduling requirements; (2) is exempt from AS 14.14.130(c); the  
 8 principal of the charter school shall be selected by the academic policy committee and  
 9 shall select, appoint, or otherwise supervise employees of the charter school; and (3)  
 10 operates under the charter school's annual program budget as set out in the contract  
 11 between the local school board and the charter school under (c) of this section. A  
 12 local school board may exempt a charter school from other local school district  
 13 requirements if the exemption is set out in the contract, **except that a local board**  
 14 **may not exempt a charter school from the provisions of AS 14.03.075.**

15 \* **Sec. 3.** AS 14.03.255(c) is amended to read:

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

- 18 (1) **a** description of the educational program;
- 19 (2) specific levels of achievement for the education program;
- 20 (3) admission policies and procedures;
- 21 (4) administrative policies;
- 22 (5) **a** statement of the charter school's funding allocation from the local  
 23 school board, **including the itemized costs of administrative or other services to be**  
 24 **provided** [AND COSTS ASSIGNABLE] to the charter school [PROGRAM  
 25 BUDGET];
- 26 (6) **the** method by which the charter school will account for receipts  
 27 and expenditures;
- 28 (7) **the** location and description of the facility;
- 29 (8) **the** name of the teacher, or teachers, who, by agreement between  
 30 the charter school and the teacher, will teach in the charter school;
- 31 (9) **the** teacher-to-student ratio;

- 1 (10) **the** number of students served;
- 2 (11) the term of the contract [, NOT TO EXCEED A TERM OF FIVE
- 3 YEARS];
- 4 (12) a termination clause providing that the contract may be terminated
- 5 by the local school board for the failure of the charter school to meet educational
- 6 achievement goals or fiscal management standards, or for other good cause;
- 7 (13) a statement that the charter school will comply with all state and
- 8 federal requirements for receipt and use of public money;
- 9 (14) other requirements or exemptions agreed upon by the charter
- 10 school and the local school board.

11 \* **Sec. 4.** AS 14.03.260(a) is amended to read:

12 (a) A local school board shall provide an approved charter school with an

13 annual program budget. The budget shall be not less than the **aggregate, prorated**

14 amount generated by **all** [THE] students enrolled in [THE] charter **schools in that**

15 **district relative to the educational services selected by the charter** school less **the**

16 **cost of** administrative **or other services provided** [COSTS RETAINED] by the local

17 school district, **prorated per student** [DETERMINED BY APPLYING THE

18 INDIRECT COST RATE APPROVED BY THE DEPARTMENT OF EDUCATION].

19 The "amount generated by **all** students enrolled in [THE] charter **schools in that**

20 **district** [SCHOOL]" is to be determined in the same manner as it would be for

21 **students** [A STUDENT] enrolled in **other** [ANOTHER] public **schools** [SCHOOL]

22 in that school district **and must reflect state, local and other funding for that school**

23 **district. A charter school qualified as tax exempt under 26 U.S.C. 501(c)(3) may**

24 **conduct fund-raising activities or accept donations of money or materials to**

25 **supplement the program budget of the charter school.**

26 \* **Sec. 5.** AS 14.03.260 is amended by adding a new subsection to read:

27 (e) The local school district shall itemize each service provided by the local

28 school district to a charter school, and each itemized service must be given a per

29 student value by the school district. Services provided by a local school district may

30 include services for administration, audio-visual services, curriculum, staff development

31 and training, special needs and intensive services, transportation, procurement, facility

1 rental, and other services that are agreed to between the local school district and the  
2 charter school. Except for services for administration or other services required by  
3 law, a charter school may elect not to receive services offered by a local school  
4 district.

5 \* **Sec. 6.** AS 14.03.275 is amended to read:

6 **Sec. 14.03.275. Contracts [; DURATION].** A contract for a charter school  
7 may be for a term of no more than **10** [FIVE] years [AND MAY NOT EXTEND  
8 BEYOND JULY 1, 2005].

9 \* **Sec. 7.** AS 14.17.905 is amended by adding a new subsection to read:

10 (b) Notwithstanding (a)(3) of this section, an alternative school shall be  
11 counted as a separate school if the school is a charter school operated in a facility  
12 separate from a facility used for other students.

13 \* **Sec. 8.** Section 9, ch. 77, SLA 1995, is repealed.

14 \* **Sec. 9.** Section 2 of this Act takes effect January 1, 2002.

15 \* **Sec. 10.** Section 7 of this Act takes effect July 1, 1999.